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The Political Writings of
JOHN ADAMS

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JOHN ADAMS

Representative Selections

Edited with an Introduction by

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PREFACE

This volume is one of a series designed to present in reasonably short compass some of the best of American literary and political writings. John Adams is chosen because, along with John C. Calhoun he best represents the American republican conservative statesman who despite a full and active political life attempted to formulate a consistent political theory Though it is not difficult to formulate some sort of political philosophy from the public speeches and private correspondence of many political figures it is a rare thing to find that one of these has devoted himself to the more laborious and reflective task of attempting to erect a more or less complete political system proceeding logically from stated assumptions to political conclusions. This very thing John Adams attempted to do in his *Defence of the Constitutions of Government of the United States of America* and *Discourses on Davila* This is his political system in essence. At the same time he was an active leader of the struggle for independence and made a significant contribution to a constitutional analysis of the nature of the relation between the American colonies and Great Britain And again in old age he reflected on the constitutional system Americans had constructed To cover the various phases of his thought and to present a picture of that thought rather fully as it developed it was decided to proceed chronologically

The first piece included written by a young and vigorous Adams reveals his insistence on self-government for the colonies and a devotion to the rule of law or as some would put it constitutionalism The other pieces of his pre revolutionary writings indicate a changing position until the formulation of the mature constitutional view on the nature of the British Empire found in the Novanglus letters

The post revolutionary writings establish his hastily written though not hastily conceived, plan of government, the working

out of this plan in the constitution of Massachusetts of 1780, and the climax of his thought in his *Defence* and *Davila* The final selections are reflections on the Constitution of the United States and, at a later date, a spirited defense of the *Defence* Taken together these pieces form a consistent whole and, it is believed give a fairly good view of Adams' political thought

The selections are chosen not only for their content but also to illustrate Adams methodology as a political theorist Like Aristotle long before him Adams studied many constitutions and many political systems in order to get the raw material out of which to construct his own Surely he was selective in his choice of raw material and tended to ignore that which did not buttress his view, but keep in mind that he usually wrote with a purpose —namely, to defend constitutional balanced government If he was less an objective writer than he was an advocate, the answer probably lies in his devotion to a cause—the cause of independence and the rule of law

On the whole I have chosen his public pieces in preference to his private correspondence for the reasons, first, that the former, usually of some length are a fuller statement of the case than the latter and secondly that the private letters on the whole appear to add little to these more comprehensive statements Furthermore, it is my belief that one gets a better view from a few pieces quoted at length than from many pieces with frequent elisions For a detailed account of the editorial arrangement of the text, the reader is referred to the Note on the Text, page viii

I am indebted to the General Editor, Mr Oskar Piest for his encouragement and wise counsel in the preparation of this volume Finally I should like to thank my wife Marion and my good neighbor Mrs Henry Malcolm, for their valuable assistance in reading proof

G A P

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INTRODUCTION

"He is vain, irritable, and a bad calculator of the force and probable effect of the motives which govern men. This is all the ill which can possibly be said of him. He is as disinterested as the being who made him: he is profound in his views, and accurate in his judgment, except where knowledge of the world is necessary to form a judgment. He is so amiable, that I pronounce you will love him, if ever you become acquainted with him. He would be, as he was, a great man in Congress."[1] This perceptive judgment was rendered by Thomas Jefferson on John Adams. It is based on first-hand experience, rooted in thoughtful insight, and tempered by real affection. It reaches the mark. History, on the other hand, has dealt more harshly with Adams. First of all, he occupied the Presidency of the United States between George Washington and Thomas Jefferson, and in the public mind suffers grievously from the comparison. In addition no political party has rallied to his support. The demise of the Federalist Party[a] is charged to John Adams, who insisted on being a patriot first and party adherent second. In the election of 1800 he was roundly attacked by the Republican Party,[b] which had the windfall of Alexander Hamilton's ill-advised letter criticizing Adams; and in later years when Adams approved of some Republican actions, that party was still suspicious. He was well aware that he could expect support from neither party. "For my part I always thought and am still determined to support every administration wherever I think them in the right," he wrote to his friend Benjamin Rush.[2] "I care not whether they call me Federalist, Jacobin[c] or Quid."[d] His view that titles were neces-

[1] Thomas Jefferson to James Madison, January 30, 1787, *The Writings of Thomas Jefferson*, edited by H. A. Washington (New York, 1859), II, 107.

[2] John Adams to Benjamin Rush, April 18, 1808, *Old Family Letters: Copied from the Originals for Alexander Biddle* (Philadelphia, 1892), I, 181.

original treatises on government as they are dialogues between some ancient, medieval and eighteenth-century writers on the one hand and John Adams on the other In fact Zoltán Haraszti has suggested "that the *Defence* would benefit enormously . . by placing the borrowed texts and Adams comments in dialogue form" [3] The bulk of these two pieces consists of quotations frequently *in extenso* with Adams pungent comments interspersed at will Rather than an author of extended tracts on government he was a pamphleteer letter writer and above all political thinker He was too much a man of action too impatient with continued and laborious writing, despite a voluminous correspondence to produce any single piece wholly his own of length But his reactions to the political events of his times, to which he added deep reflection based on wide and intensive reading result in outstanding discussions on politics—using that word in its original and Aristotelian sense

Adams political writings form a remarkably consistent whole and one can perceive that the *Defence* was a logical development of theories advanced in the *Dissertation* and *Novanglus* Of course there was a change in emphasis as current affairs forced Adams to think and write on different problems—he is answering a Tory* charge in the *Boston Gazette* or summing up thoughts on constructing a constitution or replying to Turgot's attack on separation of powers—but there was no change in fundamental belief As he wrote about himself "John Adams remains *semper idem* "[4] Hence the classification sometimes used of his writings into early democratic views and later post Revolutionary reactionary views is not only without utility but does violence to the facts

A Dissertation on the Canon and Feudal Law published in the Boston *Gazette* in 1765 was John Adams first major contribution on politics It received attention in both Boston and London The title is misleading, for it is essentially an attempt to

[3] *John Adams and The Prophets of Progress* (Cambridge Mass 1952) p 155

[4] John Adam ... p

ment and complete independence, though he did admit that for the sake of convenience Parliament should control strictly imperial matters. Adams' argument was not free of difficulties, both legally and in principle, but it was penetrating and imaginative. Randolph G. Adams writes that "he [Adams] has . . . a claim to a position among the pioneers of a new class of Britannic thinkers (in the commonwealth of nations concept). . . ."[9] And Charles H. McIlwain holds that "John Adams' answer (to Massachusettensis, representing the British view) is the most elaborate exposition extant of the American interpretation of the constitutional problem of the empire. . . ."[10] The idea of a commonwealth of nations bound together through the person of the king was premature. Constitutional solutions proved unacceptable and the colonies proceeded to "appeal to heaven," to declare "That these united colonies are and of right ought to be free and independent States." In the battle in Congress for independence Jefferson in later years recalled that Adams was "the great Colossus of that Congress—the great pillar of support to the Declaration of Independence, and its ablest advocate and champion on the floor of the House."[11]

In a time of social revolution two types of activity prevail, demolition of the old and formation of the new. It is not usual for a person to engage well in both of these, but this John Adams did. Even before independence was declared, he had in November, 1775, sketched some of his ideas on constructing a framework of government for each of the colonies, a framework later elaborated in his letter to George Wythe and published in 1776 as *Thoughts on Government*. This piece, the *Defence*, the *Discourses*, and many of his later letters may be viewed as constituting the essence of his speculation on politics.

[9] *Political Ideas of the American Revolution* (Durham, North Carolina, 1922), p. 108.

[10] *The American Revolution: A Constitutional Interpretation* (New York, 1923), p. 139. The Massachusettensis, or British position, is defended by Robert L. Schuyler in his *Parliament and the British Empire* (New York, 1929).

[11] *The Writings of Thomas Jefferson*, Memorial Edition (Washington, D. C., 1905), Vol. XIII, p. xxiv.

would be sufficient to make men just and benevolent But the nature of man is one thing his reason is another Passion and appetite are as much a part of man as reason and moral sense "In the institution of government it must be remembered that, although reason ought always to govern individuals, it certainly never did since the Fall and never will, till the Millenium and human nature must be taken as it is as it has been and will be"[13] The passions of men must be restrained This is the function of government.

Given these premises with regard to the nature of man and the necessity for the restraining power of government, John Adams could have employed the social compact either in the tradition of John Locke or possibly Thomas Hobbes whose view of the nature of man he tends to follow But Adams in his political system rejected the contract, despite his reference to it in the Preamble of the Massachusetts Constitution of 1780 a reference probably inserted to reflect the climate of opinion in New England following the break with the king "Men in their primitive conditions, however savage were undoubtedly gregarious and they continue to be social not only in every stage of civilization but in every possible situation in which they can be placed"[14] Adams agreed with Aristotle that God intended that men should live in society But while for Aristotle society or the state which commences for the sake of mere life exists for the sake of the good life for Adams, society exists for the sake of life or even for the satisfaction of egoism Man seeks his own kind to herd with Adams reasoned for only in the social condition can man satisfy to the full his universal passion pride—the passion for distinction

Having established the nature of man and the consequent necessity for social existence Adams proceeded to analyze the nature of society All men have one common nature and from that may be inferred equal rights and duties "But equal ranks and equal property can never be inferred from it any more than equal understanding agility vigor or beauty Equal laws are all

[13] Works, VI 115
[14] Ibid 232.

upper house represents the natural aristocracy the lower house, the people but more difficult to determine what order in society is represented by the executive. There is no one or "King's friends" in a republic corresponding to the one in society The primary function of the one, it might be suggested is not so much to represent an order in society as it is to preserve the balance between the few and the many

This system of government was not of course, original with Adams. One may trace its origins back to Aristotle it was elaborated fully by Polybius it was current in 17th and 18th century political thought. In this tradition Adams divided simple governments into monarchy aristocracy and democracy Each of these in turn degenerates of necessity into its evil counterpart tyranny, oligarchy and anarchy The way out of this dilemma lies in formulating a government made up only of the good forms, monarchy aristocracy and democracy This in Rome would be a government made up of consuls, senate, and tribunes in England king, Lords and Commons in the United States chief executive upper house and lower house In each system monarchy aristocracy and democracy or the one, few and many are properly represented and balance is achieved.

It was in elaborating on the simple forms of government that Adams may have laid himself open to charges that he was anti republican On the whole the least evil of the simple governments is monarchy he argued because the people have more liberty under it than under the other two Even under a simple monarchy a modicum of balance exists in the nobility and the courts of judicature In the struggle for power the aristocrats by their very nature have an advantage, and the result is oftentimes an oligarchy It is the people wearied of aristocratic intrigues bribes, and outrages, who have set up monarchy and fortified it with an army Monarchy is " the eternal resource of every ignorant people harassed with democratical distractions or aristocratical encroachments" [22] The people need a champion to defend them against the nobility and this champion is a king Monarchy and aristocracy are not natural allies. A man might as well take up abode with Daniel in the Lion's Den as monarchy

[22] Works IV 347

ment. After an examination of the simple forms Adams again concluded "We have all along contended that a simple government, in a single assembly whether aristocratical or democratical must of necessity divide into two parties, each of which will be headed by some one illustrious family and will proceed from debate and controversy to sedition and war . Having no third order to appeal to for decision no contest could be decided but by the sword"[29] In this fashion did Adams make out his case for balanced government that is, a government consisting of a strong executive, a selective upper house and a broadly representative lower house

Each of the three separate branches in Adams system had a distinct and peculiar function. In the first place, he asserted, "The great desideratum in a government is a distinct executive power of sufficient strength and weight to compel both these parties (gentlemen and simplemen) in turn to submit to the laws"[31] The executive is the mediator the arbitrator between *the senate representing the few and the lower house representing* the many Not only is the executive distinct but he must be a single person with power to protect his office by an absolute veto His authority like all governmental authority is derived from the people in whom sovereignty finally rests for the executive represents the people as well as the legislature The upper house, the senate, is derived from and represents the rich, the well born, the natural aristocracy This group must not sit in a single body with the representatives of the "simplemen" "The rich, the well-born and the able acquire an influence among the people that will soon be too much for simple honesty and plain sense in a house of representatives. The most illustrious of them must therefore be separated from the mass and placed by themselves in a senate thus is, to all honest and useful intents an ostracism"[33] In addition it is the peculiar function of the senate

[29] *Works* V 10

[31] *Ibid.*, 473

[33] *Works* IV 290. By "ostracism" Adams meant that illustrious figures in the House of Commons would be "ostracized" to the House of Lords where their influence on the people and governmental affairs in general would be considerably curtailed

war which brought to an end the Age of Progress had, says Nef, "none of the limiting features of the warfare which had been characteristic of Newton's age. Europe could now afford enormous armies, could replenish and supply them again while the fighting proceeded. More money was needed to kill than [illegible] re[illegible] m[illegible] va[illegible] rel[illegible] the quantity of munitions which money and credit could buy." All this meant that when war broke [illegible]

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The strain of the war worked up a menacing popular pressure upon the weak governments. We can, I think, point to 1917 as the year when the pressure became so strong that the institutional framework of the established governments broke under it.

The strain became unbearable 1917 was the year of the two Russian revolutions It was the year of the American involvement which brought with it the declaration of the Wilsonian principles For Italy it was the year of Caporetto For Austria Hungary it was the beginning of the end under the successor of Francis Joseph. For Germany it was the year of the July crisis and of the need of the Prussian monarchy to listen to the Reichstag and its demand for a negotiated peace For France it was the year of the mutinies, and for Britain the year of mortal peril from the submarine In eastern and central Europe tortured and infuriated masses brought down the historic states and the institutions of the old regime In western Europe and in North America the breakthrough took the form—if I may use the term—of a deep and pervasive infiltration. Behind the façade, which was little changed the old structure of executive government with the consent of a representative assembly was dismantled—not everywhere and

* "In the military massacres of 1914-1915-1916 the French had lost permanently over 900 000 men, the British about half that number and the Germans well over 800,000 ... the Russians had mobilized 12,000 000 men and of them at least four million are presumed to have died, another 2,500 000 had become prisoners or were missing and an additional million were seriously wounded." Hoffman Nickerson, *The Armed Horde* (1940), pp 292-294

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Like all princes and rulers, ... people be hedged ... kings ill served by flattery and adulation, like all sovereigns, they are by the servile hypocrisy which tells them that what is true and what is false, what is right and what is wrong, can be determined by their votes.

If I am right in what I have been saying, there has developed in this century a functional derangement of the relationship between the mass of the people and the government. The people have acquired power which they are incapable of exercising, and the governments they elect have lost powers which they must recover if they are to govern. What then are the true boundaries of the people's power? The answer cannot ... beginning let ...

... the government ... conduct of their affairs ... proposes to approve or disapprove its performance. They can remove it. They can administer the government. They cannot normally initiate and propose the necessary legislation. A mass cannot govern. The people, as Jefferson said, are not "qualified to exercise themselves the Executive Department, but they are qualified to name the person who shall exercise it. ... They are not qualified to legislate, with us therefore they only choose the legislators."[1]

Where mass opinion dominates the government, there is a morbid derangement of the true functions of power. The derangement brings about the enfeeblement, verging on paralysis, of the capacity to govern. This breakdown in the constitutional order is the cause of the precipitate and catastrophic decline of Western society. It may, if it cannot be arrested and reversed, bring about the fall of the West.

The propensity to this derangement and the vulnerability of our society to it have a long and complex history. Yet the more I have brooded upon the events which I have lived through myself, the more astounding and

[1] *Works* (Ford ed. V, pp. 103-104, 1892-1898) cited in Yves R. Simon, *Philosophy of Democratic Government* (1951), p. 169.

CHAPTER TWO

The Malady of Democratic States

Public Opinion in War and Peace

Writing in 1913, just before the outbreak of the war, and having in mind Queen Victoria and King Edward the VII, Sir Harry Johnston thus described how foreign affairs were conducted in the Nineteenth Century:

> In those days, a country's relations with its neighbors or with distant lands were dealt with almost exclusively by the head of the State—Emperor, King, or President—acting with the more-or-less dependent Minister-of-State, who was no representative of the masses, but the employe of the Monarch. Events were prepared and sprung on a submissive, a confident, or a stupid people. The public Press criticized, more often applauded, but had at most to deal with a *fait accompli* and make the best of it. Occasionally, in our own land, a statesman, out of office and discontented, went round the great provincial towns agitating against the trend of British foreign policy—perhaps wisely, perhaps unfairly, we do not yet know—and scored a slight success. But once in office his Cabinet fell in by degrees with the views of the Sovereign and the permanent officials (after the fifties of the last century these public servants were a factor of ever-growing importance), and, as before, the foreign policy of the Empire was shaped by a small camarilla consisting of the Sovereign, two Cabinet Ministers, the permanent Under-Secretary of State for Foreign Affairs, and perhaps one representative of la plus *haute finance*.[1]

Without taking it too literally, this is a fair description of how foreign affairs were conducted before the First World War. There were exceptions. The Aberdeen gov-

[1] Sir Harry Johnston, "Common Sense in Foreign Policy," pp. 1 2, cited in Howard Lee McBain & Lindsay Rogers, *The New Constitutions of Europe* (1922), p. 139.

and disbanded. The Allies were called upon to decide whether they would dictate a punitive peace or would negotiate a peace of reconciliation

In the Thirties the British and the French governments had to decide whether to rearm and to take concerted measures to contain Hitler and Mussolini or whether to remain unarmed and to appease them. The United States had to decide whether to arm in order to contain the Japanese or to negotiate with them at the expense of China

During the Second World War the British and the American governments had again to make the choice between total victory with unconditional surrender and negotiated settlements whose end was reconciliation.

These were momentous issues, like choosing at the fork of the road a way from which there is no turning back whether to arm or not to arm—whether, as a conflict blows up, to intervene or to withdraw—whether in war to fight for the unconditional surrender of the adversary or for his reconciliation The issues are so momentous that public feeling quickly becomes incandescent to them. But they can be answered with the only words that a great mass *qua* mass can speak—with a Yes or a No

Experience since 1917 indicates that in matters of war and peace the popular answer in the democracies is likely to be No For everything connected with war has become dangerous, painful, disagreeable and exhausting to very nearly everyone This rule to which there are few exceptions—the acceptance of the Marshall Plan is one of them—is that at the critical junctures, when the stakes are high, the prevailing mass opinion will impose what amounts to a veto upon changing the course on which the government is at the time proceeding. Prepare for war in time of peace? No It is bad to raise taxes, to unbalance the budget, to take men away from their schools or their jobs, to provoke the enemy Intervene in a developing conflict? No Avoid the risk of war Withdraw from the area of the conflict? No The adversary must not be appeased. Reduce your claims on the area? No Righteousness cannot be compromised Negotiate a compromise peace as soon as the opportunity presents itself? No. The aggressor must be punished. Remain armed to enforce the dictated settlement? No The war is over

The unhappy truth is that the prevailing public opinion

. . . ., they were against any ... counte-
... who showed "any tenderness for the Hun," or was inclined to listen to the "Hun food snivel."[4]

3 *The Pattern of the Mistakes*

IN ORDER to see in its true perspective what happened, we must remember that at the end of the First World War the only victorious powers were the liberal democracies of the West. Lenin, who had been a refugee in Switzerland until 1917, was still at the very beginning of his struggle to become the master of the empire of the Romanoffs Mussolini was an obscure journalist, and nobody had dreamed of Hitler The men who took part in the Peace Conference were men of the same standards and tradition. They were the heads of duly elected governments in countries where respect for civil liberty was the rule Europe from the Atlantic to the Pripet Marshes lay within the military orbit of their forces All the undemocratic empires, enemy and ally, had been destroyed by defeat and revolution In 1918—unlike 1945—there had been no Yalta, there was no alien foreign minister at the peace conference who held a veto on the settlement

Yet as soon as the terms of the settlement were known, it was evident that peace had not been made with Germany. It was not for want of power but for want of statesmanship that the liberal democracies failed They failed to restore order in that great part of the world which—outside of revolutionary Russia—was still within the orbit of their influence, still amenable to their leadership, still subject to their decisions, still working within the same economy still living in the same international community, still thinking in the same universe of discourse In this failure to make peace there was generated the cycle of wars in which the West has suffered so sudden and so spectacular a decline

Public opinion, having vetoed reconciliation, had made the settlement unworkable And so when a new genera

[4] Cf. Harold Nicholson *Peacemaking* Chap III

world safe for democracy This crusade would make the whole world a democracy

As a result of this impassioned nonsense public opinion became so envenomed that the people would not countenance a workable peace, they were against any public man who showed "any tenderness for the Hun," or was inclined to listen to the "Hun food snivel."[3]

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conve[illegible] their
way [illegible] good sense. In the crises,
howev[illegible] democratic officials—over and above their own human propensity to err—have been compelled to make the big mistakes that public opinion has insisted upon. Even the greatest men have not been able to turn back the massive tides of opinion and of sentiment.

There is no mystery about why there is such a tendency for popular opinion to be wrong in judging war and peace. Strategic and diplomatic decisions call for a kind of knowledge—not to speak of an experience and a seasoned judgment—which cannot be had by glancing at newspapers, listening to snatches of radio comment, watching politicians perform on television, hearing occasional lectures, and reading a few books. It would not be enough to make a man competent to decide whether to amputate a leg, and it is not enough to qualify him to choose war or peace, to arm or not to arm, to intervene or to withdraw, to fight on or to negotiate.

Usually, moreover, when the decision is critical and urgent, the public will not be told the whole truth. What can be told to the great public it will not hear in the complicated and qualified concreteness that is needed for a practical decision. When distant and unfamiliar and complex things are communicated to great masses of people, the truth suffers a considerable and often a radical distortion. The complex is made over into the simple, the hypothetical into the dogmatic, and the relative into an absolute. Even when there is no deliberate distortion by censorship and propaganda, which is unlikely in time of war, the public opinion of masses cannot be counted upon to apprehend regularly and promptly the reality of things. There is an inherent tendency in opinion to feed upon rumors excited by our own wishes and fears.

4. *Democratic Politicians*

AT THE critical moments in this sad history, there have been men, worth listening to, who warned the people against their mistakes. Always, too, there have been men inside the governments who judged correctly, because they were permitted to know in time, the uncensored and

tion of Germans grew up, they rebelled But by that time the [illegible] -rlike to make peac[illegible] had become too [illegible] ave prevented the [illegible] wage against Europe Having refused the risk of trying to prevent war, they would not now prepare for the war The European democracies chose to rely on the double negative of unarmed appeasement, and the American democracy chose to rely on unarmed isolation

When the unprevented war came, the fatal cycle was repeated Western Europe was defeated and occupied before the British people began seriously to wage the war And after the catastrophe in Western Europe eighteen agonizing months of indecision elapsed before the surprise and shock of Pearl Harbor did for the American people what no amount of argument and evidence and reason had been able to do

Once again it seemed impossible to wage the war energetically except by inciting the people to paroxysms of hatred and to utopian dreams So they were told that [illegible]

could be popular only if the enemy was altogether evil and the Allies very nearly perfect. This mixture of envenomed hatred and furious righteousness made a public opinion which would not tolerate the calculated compromises that durable settlements demand Once again the people were drugged by the propaganda which had aroused them to fight the war and to endure its miseries Once again they would not think, once again they would not allow their leaders to think, about an eventual peace with their enemies, or about the differences that must arise among the Allies in this coalition, as in all earlier ones How well this popular diplomacy worked is attested by the fact that less than five years after the democracies had disarmed their enemies, they were imploring their former enemies, Germany and Japan, to rearm

The record shows that the people of the democracies, having become sovereign in this century, have made it increasingly difficult for their governments to prepare properly for war or to make peace Their responsible officials have been like the ministers of an opinionated and willful despot Between the critical junctures, when

This devitalization of the governing power is the malady of democratic states. As the malady grows the executives become highly susceptible to encroachment and usurpation by elected assemblies; they are pressed and harassed by the haggling of parties, by the agents of organized interests, and by the spokesmen of sectarians and ideologues. The malady can be fatal. It can be deadly to the very survival of the state [illegible] a free society if, when the great and hard issues of war and peace, of security and solvency, of revolution and order are up for decision, the executive and judicial departments, with their civil servants and technicians, have lost their power to decide.

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the men of the counties They are to meet, and the King will ask the Knights what aid they will grant to him. This is the basic relationship The government can act. Because it can act, it decides what action *should* be taken, and it proposes the measures, it then asks the representatives of those who must *supply* the money and the men for the means to carry out its decisions The governed, through their representatives, the two Knights of the Shire from each county, give or withhold their consent.

From the tension and the balance of the two powers—that of the ruler and that of the ruled—there evolved the written and the unwritten contracts of the constitution. The grant of aid by the ruled must be preceded by the ruler's redress of their grievances. The government will be refused the means of governing if it does not listen to the petitions, if it does not inform, if it does not consult, if it cannot win the consent of, those who have been elected as the representatives of the governed.

The executive is the active power in the state the asking and the proposing power The representative assembly is the consenting power the petitioning the approving and the criticizing, the accepting and the refusing power The two powers are necessary if there is to be order and freedom. But each must be true to its own nature each limiting and complementing the other The government must be able to govern and the citizens must be represented in order that they shall not be oppressed. The health of the system depends upon the relationship of the two powers. If either absorbs or destroys the functions of the other power, the constitution is deranged.

There is here a relationship between governors and governed which is, I would contend, rooted in the nature of things At the risk of reasoning by analogy, I would suggest that this duality of function within a political society has a certain resemblance to that of the two sexes In the act of reproduction each sex has an unalterable physiological function. If this function is devitalized or is confused with the function of the other sex, the result is sterility and disorder

In the final acts of the state the issues are war and peace, security and solvency, order and insurrection. In these final acts the executive power cannot be exercised by the representative assembly Nor can it be exercised after the suppression of the assembly For in the derangement of t[illegible]o primary functions lie the seeds of disaster

[illegible] of the vital interests

[illegible]

[illegible]ates elected to nine state conventions were deemed to be entitled to act as The People of the United States.

The inhabitants of the United States who were quali- [illegible] we do not have accurate figures. But according to the census of 1790 the popula- [illegible]

[illegible] per cent when the Constitution was ordained. They were not yet 40 per cent in 1952 when, except under the special conditions in the South, we had universal adult suffrage. Manifestly,

[a] These figures are from a memorandum prepared for me by my friend, Prof. Allan Nevins. In his covering letter, January 24, 1952, he says

"Anyone who writes about election figures in our early national history treads upon very unsafe ground. Trustworthy data [illegible] statistics and the [illegible]

years they had changed greatly, and in a hundred years,

[illegible]

born.* *The People* are a corporation [illegible] say, which lives on while individuals come into it and go *out of it.*

[illegible] Bentham cannot have been right when

[illegible]

[illegible] their pleasures and their security, is the end and the [illegible]

[illegible]

[illegible] that so many are dead and so many are not yet born. Yet this corporate being, though so insubstantial to our [illegible]

[illegible]

never sit under

This invisible, inaudible, and so largely nonexistent community gives rational meaning to the necessary objectives of government. If we deny it, identifying the people with the prevailing pluralities who vote in order to serve, as Bentham has it, "their pleasures and their security," where and what is the nation, and whose duty and business is it to defend the public interest? Bentham leaves us with the state as an arena in which factions contend for their immediate advantage in the struggle for

* *Ibid.*, Ch. III, Sec. I.

* Edmund Burke's speech on *Conciliation with America* (1775)

once at the beginning of the imperial power would have to happen again whenever the throne was vacant. As the imperium "escheats or reverts to the people", and the people had then to choose a new emperor, they might even "translate" the empire from one nation to another, in this instance from the Greeks to the Germans Needless to say "the people" who were presumed to have this power, had neither votes nor any other means of making their will known It was presumed that they wished to have their power exercised for them In the coronation of Charlemagne, the Pope did this he "merely declared and exercised the people's will."

All this seems long ago and far away But if we reject virtual representation, the question remains if the Pope or the king or the parliament of magnates, cannot represent *The People*, how do a plurality of voters truly declare and exercise *The People's* will? It sounds incongruous [redacted] modern ears that the Pope *should* represent the people But is it so congruous that the people should be represented by a count of the votes of some persons? The *conundrum springs from the fact that while The People* as a corporate body are the true owners of the sovereign power, The People, as an aggregate of voters, have diverse conflicting self-centered interests and opinions A plurality of them cannot be counted upon to represent the corporate nation

The distinction upon which I am dwelling does not, as one might suppose, cease to matter when the voters become enormously many Cannot a multitude of voters be regarded [redacted] the practical equivalent of all the people? They cannot be To multiply the voters makes it no more probable that a plurality of them will truly represent the public interest. Our experience with mass elections in the twentieth century compels us, I think, to the contrary conclusion that public opinion becomes less realistic as the mass to whom information must be conveyed, and argument must be addressed, grows larger and more heterogeneous

All this will seem less odd if we remind ourselves that political democracy as we know it in this century, is a very recent political phenomenon The moral presumption in favor of universal suffrage may perhaps be said to have been laid down by the American and the French Revolutions at the end of the eighteenth century But (until the end of the nineteenth century) the actual ad-

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CHAPTER FOUR

The Public Interest

1 *What Is the Public Interest?*

WE ARE examining the question of how, and by whom, the interest of an invisible community over a long span of time is represented in the practical work of governing a modern state

In ordinary circumstances voters cannot be expected to transcend their particular, localized and self regarding opinions As well expect men laboring in the valley to see the land as from a mountain top In their circumstances which as private persons they cannot readily surmount, the voters are most likely to suppose that whatever seems obviously good to them must be good for the country, and good in the sight of God.

I am far from implying that the voters are not entitled to the representation of their particular opinions and interests But their opinions and interests should be taken for what they are and for no more They are not—as such—propositions in the public interest. Beyond their being, if they are genuine, a true report of what various groups of voters are thinking, they have no intrinsic authority The Gallup polls are reports of what people are thinking. But that a plurality of the people sampled in the poll think one way has no bearing upon whether it is sound public policy For their opportunities of judging great issues are in the very nature of things limited, and the statistical sum of their opinions is not the final verdict on an issue It is rather, the beginning of the argument. In that argument their opinions need to be confronted by the views of the executive, defending and promoting the public interest. In the accommodation reached between the two views lies practical public policy

Let us ask ourselves, How is the public interest discerned and judged? From what we have been saying we know that we cannot answer the question by attempting to forecast what the invisible community, with all its unborn constituents will would, or might say if and when it

ways balanced. The true nature of the reckoning would be clearer if, instead of talking about "an unbalanced budget," we spoke of a budget balanced not by taxes but

cannot be reduced to precise figures, prudent men make estimates as to where the equations balance.

Their decisions as to where to balance the accounts must reflect other judgments—as to what, for example, are the military requirements in relation to foreign af-

We may say, then, that public policy is made in a field of equations The issues are the choices as to where the balance is to be struck. In the reality of things X will ex-

CHAPTER FIVE

The Two Functions

1. *The Elected Executive*

OUR INQUIRY has shown, I believe, that we cannot take popular government for granted, as if its principles were settled and beyond discussion We are compelled to agree with Sir Henry Maine who wrote, some seventy years ago, that "the actual history of popular government since it was introduced in its modern shape, into the civilized world," does "little to support the assumption that popular government has an indefinitely long future before it. Experience rather tends to show that it is characterized by great fragility, and that since its appearance, all forms of government have become more insecure than they were before "[1]

We have been dwelling upon the devitalization of the executive power as the cause of the fragility that Maine speaks of It is I have been saying, the disorder which results from a functional derangement in the relationship between the executive power on the one hand, the representative assemblies and the mass electorates on the other hand.

Democratic states are susceptible to this derangement because congenitally the executive, when dependent on election, is weaker than the elected representatives The normal drainage of power in a democratic state is away from the governing center and down into the constituencies[2] And the normal tendency of elections is to reduce elected officers to the role of agents or organized pluralities Mod-

[1] Sir Henry Maine, *Popular Government* (1886), p 20.

[2] Yves R. Simon *Philosophy of Democratic Government* p 136, quotes Jefferson *Notes on Virginia* (Memorial ed., Washington, 1903) Vol. II, pp 162 163 (the writer is surveying what he terms the "capital defects of the constitution") "All the powers of government, legislative, executive, and judiciary, result to the legislative body The concentrating these in the same hands is precisely the definition of despotic government. It will be no alleviation that these powers will be exercised by a plurality of hands and not by a single one. One h... and seventy three despots would surely

2. *The Protection of the Executive*

DURING the nineteenth century good democrats were primarily concerned with insuring representation in the assemblies and with extending the control of the assemblies over the executive power. It is true that the problem of the inadequate executive, overridden and dominated by the assembly, was very much in the minds of the Founding Fathers at the Philadelphia convention, and it has been a continuing concern of the critics and opponents of democracy But until the twentieth century the problem was not sharply and urgently posed That there was such a problem was well known But it was not the immediate problem [3]

For some generations before 1914, the West enjoyed fine political weather Moreover, the full force of the coming enfranchisement, emancipation, and secularization of the whole population had not yet worked its consequences Governments still had authority and power, which were independent of the assemblies and the electorates They still drew upon the traditional sources of authority—upon prescription, hereditary prerogative, and consecration.

Yet the need to protect the executive and judicial powers from the representative assemblies and from mass opinion has long been understood [4] Many expedients have been devised to soften, to neutralize, to check and to balance the pressure of parties factions, lobbies, sects. The expedients have taken, says Bryce, two general forms, the one being to put constitutional restrictions upon the assembly and the other, "by a division of the whole power of the people," to weaken it.[5] This has been done by electing the legislature and the executive separately, or by having the legislative bodies elected by the differing constituencies and at different times

The constitutional mechanisms have never themselves been sufficient to protect the executive And much invention and reforming energy have been applied to finding

[3] But cf Woodrow Wilson, *Congressional Government*, Ch. 5

[4] Hamilton ... Madison, *The Federalist*, (Modern Library), No 49 pp. 330-332, No 71, pp 464-466.

[5] ... dern *Democracies* (1921), Vol. II, Ch LXIII.

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[5] James Bryce, *Modern Democracies* (1921), Vol. II Ch. LXIII.

called the multitude of the disciples to them and said,

[illegible]

Suarez says, "The Pope is elected by cardinals, yet he receives his powers from God immediately."[6] The same

[illegible]

of election did not bind the ruler to the electors. Both parties to the transaction were bound only to the office, the

[illegible]

choosing, not someone to represent them to the govern-

[illegible]

consider the [illegible]
sentative is [illegible]
the general [illegible]

[6] Yves R. Simon, *op. cit.*, p. 174
[7] Hamilton, Jay, Madison, *op. cit.*, No. 10, pp. 55-62.

threatening the security, the solvency, and the liberties of the state

In the traditions of Western society, civilized government is founded on the assumption that the two powers exercising the two functions will be in balance—that they will check, restrain, compensate, complement, inform and

money and men for his wars, he summoned representatives of the counties and the boroughs, who had the money and the men he needed But the imponderable powers, together with very considerable power in land

expenditures of men and of money The executive has, at the same time been deprived of

threatening the security the solvency and the liberties of the state

In the trad tions of Western soc-

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In this century the balance of the two powers has been seriously upset Two great streams of evolution have con verged upon the modern democrac es to devitalize to en feeble and to eviscerate the executive powers One is the enormous expans on of public expend t

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of the democratic peoples to bel eve in intangible realit s This has stripped the government of that imponderable authority which is derived from tra d tion, immemorial usage consecration veneration, pre scription prestige hered ty hierarchy

At the beginning of our constitutional development the King, when he had mastered the great barons was also the proprietor of the greatest wealth in

was also the pow

powers to bind

money and men

t es of the cou ues and the boroughs who had the money and the men he needed. But the imponderable powers together w th very considerable power in land and in men, were still in the King's own hands Gradu ally over the centuries the power of the Parliament over the suppl es of the government grew larger They had to appropriate a larger proportion of a much greater total. At the same time in the wh te light of the enl ghtenment and the secularization of men s minds the imponderable powers of the crown diminished.

Under the stress and the strain of the great wars of the twen ieth cen ury the executive power has become elabo ra ely dependent upon the assemblies for its enormous expenditures of men and of money The executive has at the same time been deprived of very nearly all of his im ponderabl power fearing the action of the representa tive assembly he is under great temptation to outwit it or bypass it, as did Franklin D Roosevelt in the period of

CHAPTER SIX

The Totalitarian Counterrevolution

1. *Certain of Its Lessons*

WE CAN learn something about the kind of incapacity which has brought on disaster for the modern democracies by the nature of the counterrevolutions that have undermined and overthrown so many of them. There are various types of counterrevolutions. The most notable are the Soviet Communist, Italian Fascist, German National Socialist, Spanish Falangist, Portuguese Corporatist, the Titoist, and Peronist. Besides these organized counterrevolutionary movements, professing doctrines of an antiliberal and undemocratic character, there is, in large areas of the world, a very strong tendency to nullify the democratic system behind the façade of democratic institutions. The countries where elections are free and genuine, where civil liberty is secure, are still powerful. But they embrace a shrinking minority of mankind.

Now in all these counterrevolutionary movements there are two common characteristics. One is the separation of the governing power from the large electorate. In the totalitarian states this is done by not holding free elections, in the great number of nontotalitarian but also nondemocratic states, it is done by controlling and rigging the elections.

The other common characteristic of the counterrevolutions is that political power, which is taken away from the electorate, the parties and the party bosses, is then passed to an elite corps marked off from the mass of the people by special training and by special vows. The totalitarian revolutions generally liquidate the elite of the old regime, and then recruit their own elite of specially trained and specially dedicated and highly disciplined men. Elsewhere, when the liberal democratic system fails, the new rulers are drawn from the older established elites—from the army officers, from the clergy, the higher bureaucracy and the diplomatic corps, from university professors.

they will be governed *without* being represented, there is no doubt at all as to how the issue will be decided They will choose a th[illegible] to be paternal, [illegible] atens to be fratr[illegible] without being [illegible] No ideal of freedom and of democracy will long be allowed to stand in the way of their being governed

The plight of the modern democ[illegible] have suff[illegible] sequence[illegible] The end [illegible] is safe for democracy and is safely democratic is shrunken It is still shrinking For the disorder which has been incapacitating the democracies in this century is, if anything, becoming more virulent as time goes on

A continuing practical failure to govern will lead—no one can say in what form and under [illegible] ers—to [illegible] ment of [illegible] nd and [illegible] It is a [illegible] radical [illegible] enough [illegible] to resist the encroachment of the assemblies and of mass opinions and strong enough to guarantee private liberty against the pressure of the masses

It would be foolish to attempt to predict whether the crisis of the democratic state will be resolved by such an internal restoration and revival or by counterrevolution. No doubt the danger of counterrevolution is greater in countries where the margins of life are thinner No doubt the prospects of a restoration and revival are best in countries where the traditions of civility, as the public philosophy of Western society, have deep roots and a long history

which was just in the way of accommodating itself to a newly enfranchised mass of voters, and the French *noblesse* of the *Ancien Régime*

He went on to reflect that

> from an early time a fundamental difference existed between the behavior of the governing classes in England and in France The nobility, the cornerstone of medieval society revealed in England a peculiar ability to merge and mix with other social groups, while in France it tended, on the contrary, to close its ranks and preserve its original purity of birth.
>
> In the earlier Middle Ages all Western Europe had a similar social system But some time in the Middle Ages, one cannot say exactly when, a change pregnant with tremendous consequences occurred in the British Isles and in the British Isles only—the English nobility developed into an open aristocracy while the continental *noblesse* stubbornly remained within the rigid limits of a caste

This, observes de Tocqueville, is the most revolutionary fact in English history, and he claims to have been the first to observe its importance and to grasp its full signifi-ance It is, truly a deep and illuminating observation on e conditions which are favorable to a healthy and pro-essive evolution of democracy and on the conditions hich make it morbid and degenerative The crucial difference is between what we might call enfranchisement by assimilation into the governing class, as exemplified in England and *per contra* enfranchisement by the overthrow and displacing of the governing class as exemplified in France In the one the government remains but becomes more responsible and more responsive, in the other, the government is overthrown with the liquidation of the governing class

Although the two ways of evolution appear to have the same object—a society with free institutions under popu-

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ica and France, which are carefully stated in special books written at great length and in elaborate form, his ideas about England are more impressionistic in nature scattered as they are in no particular order among volumes of correspondence sometimes appearing in a bunch in the *Journal de Voyage* sometimes as sudden asides in the big systematic works, emphasizing and defining a certain trend thought by wa— omparison and opposition."

who were not, like those he saw living at the Court of Versailles, exclusive and incompetent, corrupt, unteachable and unconcerned.

"Would you know the story in brief, of almost all our wretchedness?" asked Diderot "Here it is. There existed the natural man, and into this man was introduced an artificial man, whereupon a civil war arose within him lasting through life . . . If you propose to become a tyrant over him, . . . do your best to poison him with a theory of morals against nature, impose every kind of fetter on him, embarrass his movements with a thousand obstacles, place phantoms around him to frighten him . . . Would you see him happy and free? Do not meddle with his affairs. . . . I appeal to every civil, religious and political institution, examine these closely, and, if I am not mistaken, you will find the human species, century after century, subject to a yoke which a mere handful of knaves chose to impose on it. . . . Be wary of him who seeks to establish order, to order is to obtain the mastery of others by giving them trouble.[4]

If we compare the mood of this passage with that of the Declaration of Independence, the work of the other brand of revolutionists, we must be struck by the nihilism of Diderot Diderot had been exasperated to a blind destructive despair by the rigidity of the French governing caste He could not feel that there was anything to be done with any government, judging by the one he suffered under, except to abolish it.

Jefferson and his colleagues, on the other hand, were interested in government They were in rebellion because they were being denied the rights of representation and of participation which they, like other subjects of the same King would have enjoyed had they lived in England The Americans were in rebellion against the "usurpations" of George III not against authority as such but against the abuse of authority The American revolutionists had in fact participated in the colonial governments They intended to play leading parts, as indeed they did, in the new government. Far from wishing to overthrow the authority of government, or to deny and subvert, as Diderot did, the moral foundations of authority, they went into rebellion

[4] *Ibid.*, pp. 220-221

human society Again and again it has been proved how effective is this formula for arousing, sustaining and organizing men's energies for revolution: to declare that [illegible] has been imposed upon the many by the [illegible]

[illegible] nated, therefore, to the notion that the act of revolution [illegible]

[illegible] masses is victorious over the few, there will exist the classless society without coercion and violence and with freedom for all This formula reappears whenever conditions are revolutionary—that [illegible] to say, when necessary reforms are being refused The formula is the strategy of rebellion of those who are unable to obtain the redress of grievances The rulers are to be attacked So they are isolated. They are few. So the [illegible]

first in order to gain admittance into, and then to take possession of, the organs of government

When they declared that "a prince (George III) whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people," they were not saying that there was *no one* who was fit to be the ruler of a free people They were imbued with the English idea that the governing class must learn to share its special prerogatives by admitting new members The American Revolutionists were themselves the new members who had been unjustly, in fact illegally, excluded from the government of the colonies They themselves meant to govern the colonies after they had overthrown the government of the King They were not nihilists to whom the revolutionary act of overthrowing the sovereign is the climax and consummation of everything

2. *The Paradigm of Revolution*

OF THE two rival philosophies, the Jacobin is almost everywhere in the ascendant It is a ready philosophy for men who, previously excluded from the ruling class, and recently enfranchised, have no part in the business of governing the state, and no personal expectation of being called upon to assume the responsibilities of office The Jacobin doctrine is an obvious reaction, as de Tocqueville's observation explains, to government by a caste When there is no opening for the gradualness of reform and for enfranchisement by assimilation, a revolutionary collision is most likely

The Jacobin doctrine is addressed to the revolutionary collision between the inviolable governing caste and the excluded men claiming the redress of their grievances and their place in the sun Though it professes to be a political philosophy, the doctrine is not in fact, a philosophy of government It is a gospel and also a strategy for revolution It announces the promise that the crusade which is to overthrow the ruling caste will by the act of revolution create a good society

The peculiar essence of the dogma is that the revolution itself is the creative act Towards the revolution as such, because it is the culmination and the climax all the labor and the sacrifice of the struggle are to be directed The revolutionary act will remove the causes of ev

"be led of the spirit" and would not be "under the law."

his own regeneration. Instead there were to be [illegible]

3. *Democratic Education*

WE LIVE long enough after the new gospel was proclaimed to have seen what came of it. The post-revolutionary man, enfranchised and emancipated, has not turned out to be the New Man. He is the old Adam. Yet the future of democratic society has been staked on the promises and [illegible]

[illegible] in the schools.

Its popularity is easily accounted for. It promises to solve the problem which is otherwise so nearly insoluble —how to educate rapidly and sufficiently the ever-expanding masses who are losing contact with the [illegible]

[illegible] the family, the churches and of the local community have combined to make the demand upon the schools almost impossibly big.

Not only do the schools have to teach the arts and [illegible]

life. Wh[illegible] where a[illegible] democra[illegible] recruiting [illegible] enough teachers, of supporting

"be led of the spirit" and would not be "under the law" But in the Jacobin gospel, this transformation was to be achieved by the revolutionary act of emancipation from authority The religious end was to be reached, but without undergoing the religious experience There was to be no dark night of the soul for each person in the labor of his own regeneration Instead there were to be riots and strikes and votes and seizure of political power Instead of the inner struggle of the individual soul, there was to be one great public massive, collective redemption.

3 *Democratic Education*

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For the Jacobin doctrine has pervaded the theory of mass education in the newly enfranchised mass democracies In America and in most of the newer liberal democracies of the Western world, the Jacobin heresy is, though not unchallenged and not universal, the popular and dominant theory in the schools

Its popularity is easily accounted for It promises to solve the problem which is otherwise so nearly insoluble —how to educate rapidly and sufficiently the ever-expanding masses who are losing contact with the traditions of Western society The explosive increase of the population in the past hundred and fifty years, its recent enfranchisement during the past fifty years the dissolution, or at least the radical weakening of the bonds of the family, the churches and of the local community have combined to make the demand upon the schools almost impossibly big.

Not only do the schools have to teach the arts and sciences to a multiplying mass of pupils They have also to act in the place of the family, the household economy, the church and the settled community, and to be the bearers of the traditions and the disciplines of a civilized life What the school system could do has never been anywhere nearly equal to the demands upon it. The modern democracies have never been willing to pay the price of [illegible] enough teachers, of supporting

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3 Democratic Education

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to act in ...
the chur...
bearers ... disciplines of a civilized life What the school system could do has never been anywhere nearly equal to the demands upon it The modern democracies have never been willing to pay the price of recruiting and training enough teachers, of supporting

consciously but precisely and surely will what is best for themselves from infancy on, then there is in the very nature of things a guarantee that popular government must succeed

The best government will be the one which governs

[illegible]

m
at [illegible] a success of his own career, the instinctive rightness and righteousness of the people can be relied upon for everything else

This is a convenient and agreeably plausible escape from reality Pestalozzi described it by saying that . . .

> *Sound Education stands before me symbolized by a tree planted near fertilizing water A little seed, which* [illegible]
>
> whole tree is an uninterrupted chain of organic parts, the plan of which existed in its seed and root. Man is similar to the tree In the newborn child are hidden those faculties which are to unfold during life [13]

The *metaphor* reveals very neatly how the Jacobin theory inhibits education In no way the [illegible] the problems of [illegible] Pestalozz[illegible] lizing wa[illegible] tilizing t[illegible] planted, grow up and take to [illegible] tion of [illegible] little sa[illegible] its little [illegible] the most

[13] *Encyclopedia of Religion and Ethics*, Vol. V, p 166

If it is the role of reason merely to be an instrument ... then the mission of the schools is

needs to possess.

4 *From Jacobinism to Leninism*

the ruins of feudal society, did not make an end of class antagonisms It merely set up new classes in place of the old

As Marx and Engels were scholars and men of the world, they should not have been surprised to find that "the history of all human society past and present has

world as it is must be transformed, the day is soon to come when history, reaching its culmination, will end, and there will be no more struggles So Marx and Engels decided that one more, though this time the conclusive and the final revolution was called for

... the existence of class antagonisms and of

... with its classes and class antagonisms

act, he replaced it with the terrible doctrine that utopia must be brought about by an indefinitely prolonged process of unlimited revolution which would exterminate all

while Lenin's solution of the crisis within the revolutionary movement "marked the culmination of a process" this was "an event which altered the history of our world."[11]

In 1903 at the conference of the Russian Social Democratic Party which began in Brussels and ended in London, Lenin was asked by a delegate named Posadovsky "whether the emphasis laid by the hard Socialists upon the need for the exercise of absolute authority by the revolu

Posadovsky asked whether the basic, minimum civil liberties—"the sacrosanctity of the person"—could be infringed and even violated if the party leader so decided

The an

uvtu in Western Europe and was much respected by the leaders of Western Socialism Plekhanov was the very symbol of civilized "scientific" thinking among Russian revolutionaries "Plekhanov speaking solemnly and with a splend d disdain

assembly elected by the Russian people after the revolu

[1] Cf Eric Voegelin *The New Science of Politics* particularl Ch. IV et seq also J L. Talmon, *The Rise of Totalitarian D mocracy*

[11] Isaiah Berlin, "Political Ideas in the Twentieth Century" (*Foreign Affairs*, April 1950, Vol. XXVIII, No 3 pp 364-366)

5 The Overpassing of the Bound

THIS is the root of the matter, and it is here that the ultimate issue lies Can men, acting like gods, be appointed to establish heaven on earth? If we believe that they can be, then the rest follows To fulfill their mission they must assume a godlike omnipotence They must be jealous gods, monopolizing power, destroying all rivals, compelling exclusive loyalty The family, the churches, the schools, the corporations, the labor unions and co-operative societies, the voluntary associations and all the arts and sciences, must be their servants Dissent and deviation are treason and quietism is sacrilege

But the monopoly of all power will not be enough. There remains the old Adam Unless they can remake the fallen nature of a man, the self-elected gods cannot make a heaven of the earth. In the Jacobin gospel of the eighteenth century and even in the Marxist gospel of the nineteenth century the new man would be there when the artificial garments were removed—when once he was emancipated by the revolutionary act from the deformation imposed upon him by the clergy the nobility and the bourgeoisie A hundred years later the new man was nowhere in sight So the early and softer gospel gave way to a later and infinitely harder one The new man and the new heaven on earth demanded the remaking of pre-Leninist and pre Hitlerian man The decrees of history as revealed to Marx, and the decrees of nature as revealed to Hitler, had to be carried out

But in order to do that, the human species had first to be transformed—or failing that, exterminated. Destiny called upon the mortal god to make surviving mankind "an active unfailing carrier," as Hannah Arendt says, "of a law to which human beings would otherwise only passively and reluctantly be subject." [18]

In the eyes of its devotees, this is not an inhuman and satanic doctrine It is above and beyond humanity It is for the superman that its gospel announces The ruthlessness the arbitrariness, the cruelty are not monstrous

[18] Hannah Arendt, *Ideology and Terror A Novel Form of Government* From the Review of Politics (published at the University of Notre Dame July 1953) Vol. XV No 3

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civility, man's second and more rational nature must master his first and more elemental.

The Jacobins and their successors made a political religion founded upon the [illegible] gospel they founded a popular religion of the rise of the masses to power. Lenin, Hitler and Stalin, the hard totalitarian Jacobins of the twentieth century, carried this movement and the logical implications of its gospel further and further towards the very bitter end.

And what is that bitter end? It is an everlasting war with the human condition: war with the finitude of man and with the moral ends of finite men, and, therefore, war against freedom, against justice, against the laws and against the order of the good society—as they are conserved in the traditions of civility, as they are articulated in the public philosophy.

and uncivilized selves Men have been barbarians much longer than they have been civilized. They are only precariously civilized, and within us there is the propensity, persistent as the force of gravity, to revert under stress and strain, under neglect or temptation, to our first natures

Rousseau and the Jacobins, Marx and the nineteenth-century socialists did not introduce new impulses and passions into men. They exploited and aggravated impulses and passions that are always there In the traditions of civility, man s second and more rational nature must master his first and more elemental.

The Jacobins and their successors made a political religion founded upon the reversal of civility Instead of ruling the elemental impulses, they stimulated and armed them Instead of treating the pretension to being a god as the mortal sin original, they proclaimed it to be the glory and destiny of man. Upon this gospel they founded a popular religion of the rise of the masses to power Lenin, Hitler and Stalin, the hard totalitarian Jacobins of the twentieth century, carried this movement and the logical implications of its gospel further and further towards the very bitter end.

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The chemistry of our bodies is never mistaken. The reaction of one chemical element to another chemical element is always correct, is never misled by misinforma-

cannot be

Why do men make mistakes? Because an important part of human behavior is reaction to the pictures in their heads. Human behavior takes place in relation to a pseudo-environment—a representation, which is not quite the

ciently devoted to the idea for a long enough time.

Nothing would happen to Pike's Peak if the idea of removing it were merely proclaimed and celebrated. The idea would have to become, like the idea of winning a war, the object and the focus of the nation's energies.

project.

Because ideas have the power to organize human be

BOOK TWO

The Public Philosophy

CHAPTER EIGHT

The Eclipse of the Public Philosophy

1. *On the Efficacy of Ideas*

THERE are those who would say, using the words of philosophers to prove it, that it is the characteristic illusion of the tender-minded that they believe in philosophy Those who can, do, those who cannot, teach and theorize And being theorists by profession, they exaggerate the efficacy of ideas, which are mere airy nothings without mass or energy, the mere shadows of the existential world of substance and of force, of habits and desires, of machines and armies

Yet the illusion, if it were one, is inordinately tenacious It is impossible to remove it from the common sense in [illegible] daylight [illegible] The [illegible] non- [illegible] what [illegible] hools and churches All their effort would be irrelevant, indeed nonsense, like an argument about what Nebuchadnezzar should be served for tomorrow morning s breakfast

The most thoroughgoing skeptic is unable, in practice, to make a clean sweep—to say that since ideas have no consequences there is no such thing as a good idea or a bad one, a true idea or a false one For there is no escaping the indubitable fact of exper[illegible]

mistaken, and that it makes a difference [redacted] have been wrong.

The chemistry of our bodies [redacted] never mistaken. The reaction of one chemical element to another chemical element [redacted] always correct, is never misled by misinformation, by untruth, and by illusion. The doctor can be mistaken about the chemistry of his patient, having failed to detect a substance which falsifies his diagnosis. But it is only the doctor who can be wrong, the chemical process cannot be.

Why do men make mistakes? Because an important part of human behavior is reaction to the pictures in their heads. Human behavior takes place in relation to a pseudo-environment—a representation, which is not quite the same for any two individuals, of what they suppose to be—not what *is*—the reality of things.[1] This man made, this cultural environment, which has its being in the minds of men, is interposed between man as a biological organism and the external reality. It is in this realm that ideas are efficacious. They are efficacious because men react to their ideas and images, to their pictures and notions of the world, treating these pictures as if they were the reality.

The airy nothings in the realm of essence are efficacious in the existential world when a man, believing it to be true or good, treats the idea as if it were the reality. In this way faith in an idea can quite literally remove a mountain. To be sure no man's idea can remove a mountain on the moon. But if the American people took it into their heads that life would not be worth living until Pike's Peak was in the suburbs of Chicago, they could move Pike's Peak. They could do it if they and their descendants were sufficiently devoted to the idea for a long enough time.

Nothing would happen to Pike's Peak if the idea of removing it were merely proclaimed and celebrated. The idea would have to become like the idea of winning a war, the object and the focus of the nation's energies. Then the idea would operate in the minds of men who voted, who planned, who would engineer the undertaking, who would raise the money, would recruit the labor, would procure the equipment, and—shall we say—would suppress the mounting resistance of the objectors to the project.

Because ideas have the power to organize human be-

[1] Cf. [illegible] c *Opinion* Chapters I to X.

no Englishmen, and that when Homer was alive there were no Romans? Quite certainly, men have acquired the ways of thinking, feeling and acting which we recognize as their ethnic, national, class and occupational characteristics. Comparatively speaking these characteristics are, moreover, recently acquired. Even within the brief span of historical time characters have been acquired and have been lost and have been replaced by other characters. This is what gives to man's history, despite his common humanity, its infinite variety.

Because human nature is, as Hocking puts it, "the most plastic part of the living world, the most adaptable, the most educable,"[4] it is also the most mal-adaptable and mis-educable. The cultural heritage which contains the whole structure and fabric of the good life is acquired. It may be rejected. It may be acquired badly. It may not be acquired at all. For we are not born with it. If it is not transmitted from one generation to the next, it may be lost, indeed forgotten through a dark age until somewhere and somehow

[4] William Hocking, *Human Nature and Its Remaking* (1923), p.

which was first worked out by the Stoics As Ernest Barker says

> The rational faculty of man was conceived as producing a common conception of law and order which possessed a universal validity . This common conception included, as its three great notes the three values of Liberty, Equality and the brotherhood or Fraternity of all mankind. This common conception, and its three great notes, have formed a European set of ideas for over two thousand years It was a set of ideas which lived and moved in the Middle Ages, and St. Thomas Aquinas cherished the idea of a sovereign law of nature imprinted in the heart and nature of man, to which kings and legislators must everywhere bow It was a set of ideas which lived and acted with an even greater animation from the days of the Reformation to those of the French Revolution Spoken through the mouth of Locke, [they had justified] the English Revolution of 1688, and had recently served to inspire the American Revolution of 1776 They were ideas of the proper conduct of states and governments in the area of internal affairs. They were ideas of the natural rights of man—of liberty political and civic, with sovereignty residing essentially in the nation, and with free communication of thoughts and opinions, of equality before the law and the equal repartition of public expenses among all the members of the public; of a general fraternity which tended in practice to be sadly restricted within the nation, but which could, on occasion, be extended by decree to protect all nations struggling for freedom.[1]

These traditions were expounded in the treatises of philosophers, were developed in the tracts of the publicists, were absorbed by the lawyers and applied in the courts At times of great stress some of the endangered traditions were committed to writing, as in the Magna Carta and the Declaration of Independence For the guidance of judges and lawyers large portions were described—as in Lord Coke's examination of the common law The public philosophy was in part expounded in the Bill of Rights of 1689 It was re-enacted in the first ten amendments of the

[1] Sir Ernest Barker, *Traditions of Civility* (1948), pp 10-12.

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[3] Barker, *Traditions of Civility* (1948), pp 10-12

advantage in treating the struggle for the ultimate allegiance of men as not within the sphere of the public in-

[illegible]

3 The Neglect of the Public Philosophy

We come, then, to a crucial question If the discussion of public philosophy has been, so to speak, tabled in the liberal democracies, can we assume that, though it is not

[illegible]

society, and they a [illegible]
ties that do not a [illegible]
this philosophy, it [illegible] to reach intelligible and workable conceptions of popular election, majority rule,

* Cf. Mortimer Adler, "The Doctrine of Natural Law in Philosophy," [illegible]

[illegible] know how to do this or that they [illegible]

[illegible] and scholars and popular educators have relegated the public philosophy to the attic, when they have treated it as no longer usable by modern and progressive men. It [illegible] and progressive men. It [illegible] it has [illegible] to [illegible] to modern man [illegible]

world, and submerged in the West by the decline and the fall of the Western empire. Later on they were revived and renovated and remade in a great flowering of discovery and enterprise and creativity. The revival of learning did not provide maps for Columbus to use in discovering America. But it did produce much human wisdom which helped Columbus and his contemporaries to discover themselves and their possibilities.

The ancient world, we may remind ourselves, was not destroyed because the traditions were false. They were submerged, neglected, lost. For the men adhering to them had become a dwindling minority who were overthrown and displaced by men who were alien to the traditions, having never been initiated and adopted into them. May it not be that while the historical circumstances are obviously so different, something like that is happening again?

4. The Universal Laws of the Rational Order

FOR OVER two thousand years, says Barker, European thought has been acted upon by the idea that the rational faculties of men can produce a common conception of law and order which possesses a universal validity. This conception was first formulated as a theory by Zeno and the Stoics. It was absorbed by the Roman lawyers, was adopted by the Christian fathers, was re-established and

busy man, wanting to know how to do this or that, they are now lamentably out of date. The language is archaic, the idiom is strange, the images are unfamiliar, the practical precepts are addressed to forgotten issues.

But this irrelevance and remoteness might be the dust which has settled during the long time when philosophers and scholars and popular educators have relegated the public philosophy to the attic, when they have treated it as no longer usable by modern and progressive men. It is a neglected philosophy. For several generations it has [illegible]

[illegible]

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it is a necessary assumption in the government of large and heterogeneous states Alexander came to it in spite of Aristotle's teaching to the contrary His practical experience compelled him to see that in an empire which included the Persians as well as the Greeks there had to be a common law which was valid for both To be valid for both the Greeks and the Persians, the law had in some significant degree to have their consent. The Persians could not be commanded and coerced

As in fact the laws were promulgated to the Persians by Alexander, who was a Greek, it was necessary to convince the Persians that Alexander's laws reflected something that was higher than the will and the intentions of the Greeks, something that was binding on both the Greeks and the Persians That something was the faculty of distinguishing by reason the good and the bad For this faculty was not peculiar to the Greeks but was common to both Persians and Greeks

Alexander had discovered empirically what Zeno was to formulate theoretically—that a large plural society cannot be governed without recognizing that, transcending its plural interests, there is a rational order with a superior common law This common law is "natural" in the sense that it can be discovered by any rational mind, that it is not the willful and arbitrary positive command of the sovereign power [11] This is the necessary assumption without which it is impossible for different peoples with their competing interests to live together in peace and freedom within one community

The Roman lawyers worked out what Alexander had anticipated and what the Stoics taught By the time of Cicero there were says Barker, three different bodies and conceptions of law [12] The first, called *ius civile*, was applicable only to Roman citizens The second was a body of commercial laws known as the *ius gentium*, that were enforced by the Roman courts in all commercial cases "a common law of contract throughout the empire" [13]

The *ius gentium* was meant to contain what was common and universal separated from what was peculiar and

[11] Cf Otto von Gierke *Natural Law and the Theory of Society* translated with an Introduction by Ernest Barker (1934), Vol. I, pp 224 225

[12] *Ibid* p xxxvi

[13] F de Zulueta "The Science of Law" in *The Legacy of Rome* edited by [illegible] y (Oxford Clarendon Press [illegible] 202

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[illegible]

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[illegible]

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[illegible]

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[illegible]

Fromm has described so well[14] It has been growing [illegible]

[illegible]

in 1928, "that the feeling of *freedom* can plunge [illegible]

secularism, to the progressive division and specialization of labor. As the diversity of belief, opinion and interest became greater, the need for a common criterion and for common laws became more acute.

The new school of natural law was able to meet this need until the end of the eighteenth century. That was long enough to preside over the founding of the British and the American constitutional orders, and of those which derive from them. But the school of natural law has not been able to cope with the modern age—with the pluralism which has resulted from the industrial revolution and from the enfranchisement and the emancipation of the masses of the people.

In the simple and relatively homogeneous society of the eighteenth century natural law provided the principles of a free state. But then the mode of such thinking went out of fashion. In the nineteenth century little was done to remint the old ideas. They were regarded as obsolete and false as hostile to the rise of democracy, and they were abandoned to the reactionaries. The great frame of reference to the rational order was missing. No body of specific principles and precepts was worked out in order to regulate international relations, nor to cope with the problems raised by the industrial revolution and the advance of science and technology.

Yet, in this pluralized and fragmenting society a public philosophy with common and binding principles was more necessary than it had ever been. The proof of the need is in the impulse to escape from freedom, which Erich Fromm has described so well.[17] It has been growing stronger as the emancipation of the masses of the people from authority has brought the dissolution of public, general objective criteria of the true and the false, the right and the wrong. "I can assure you," wrote André Gide in 1928, "that the feeling of *freedom* can plunge the soul into a sort of anguish."[18]

"We know [illegible] from within by a sort of immediate and personal experience," says Gilson who was writing between the wars, "that Western culture was steadily following its process of dissolution."[19] Similarly, Spengler's

[17] Erich Fromm, *Escape from Freedom*.

[18] *The Journals of André Gide*, translated by Justin O'Brien (1947-51), Vol. III, 1928-1939, entry for Nov. 15, 1928, p. 26.

[19] Etienne G..., *The Unity of Philosophical Experience*

have become the "lonely crowd"[21] that Riesman has described They are Durkheim's anomic mass[22] They are Toynbee's proletarians who are "of" but not "in" the community they live in, for they have "no 'stake' in that community beyond the fact of its physical existence" Their "true hallmark is neither poverty nor humble birth but is the consciousness—and the resentment that this consciousness inspires—of being disinherited"[23] They are, as Karl Jaspers says, men dissolved into "an anonymous mass' because they are "without an authentic world, without provenance or roots,"[24] without, that is to say, belief and faith that they can live by

[21] David Riesman, *The Lonely Crowd.*
[22] Emile Durkheim *Suicide*
[23] Arnold Toynbee, *A Study of History* (1951) Vol I, p 41, Vol V p 63
[24] Karl Jaspers, *The Origin and Goal of History* translated from the German edition of 1949 by Michael Bullock (London Routledge and Kegan Paul Ltd. 1953) pp 127 128

In the prevailing popular culture all philosophies are

wrong beyond that which the preponderant mass of voters, consumers, readers, and listeners happen at the moment to be supposed to want.

There is no reason to think that this condition of mind can be changed until it can be proved to the modern skeptic that there are certain principles which, when they have been demonstrated, only the willfully irrational can deny, that there are certain obligations binding on all men who are committed to a free society, and that only the willfully subversive can reject them.

When I say that the condition of anomy cannot be corrected unless these things are proved to the modern skeptic, I mean that the skeptic must find the proof compelling. He ...

... the ancient doctrine lacked something in the way of evidence or of reason to carry full conviction. In the blood of the martyrs to intolerance are the seeds of unbelief

In order to repair the capacity to believe in the public philosophy it will be necessary to demonstrate the practical relevance and the productivity of the public philosophy It is almost impossible to deny its high and broad generalities The difficulty [redacted] to see how they are to be applied in the practical affairs of a modern state

We are back in a manner of speaking, before the Roman lawyers worked out the *ius gentium* and related it to the *ius naturale* back with Alexander the Great, who understood the pressing need for common laws [redacted] a plural society, and with Zeno who formulated the higher generalities ...

high

velo

der

mercial power and the comparatively simple problems of a society based on landed property were already over taken by the problems of an economy in which property was owned as money, as commercial paper as stocks and bonds. It was easy enough to assert rights to intangible property but difficult to define the duties of intangible property Yet unless that was done, property would not be under general laws.

Blackstone is in a way a tragic figure in that, thanks to his education he had the intimation that the right direction was to work toward bringing intangible property under public standards Yet for one reason or another he did not take it. He was, however, troubled. He knew that "nothing so generally engages the affections of mankind" as that sole and despotic dominion which one man claims and exercises over the external things of the world in total exclusion of the right of any other individual in the universe But as a man steeped in the civilized traditions of the West, he knew too that there must be rational limits put upon the acquisitive and possessive instincts As a man of the world, that is to say of his world and of the world that was to come he knew also how little the rising men of property wished to hear about obligations that would limit their absolute rights

So with a certain regret, and perhaps with an intuitive foreboding he wrote that Pleased as we are with the possession, we seem afraid to look back to the means by which it was acquired as if fearful of some defect in our title not caring to reflect that (accurately and strictly speaking) there is no foundation in nature or in natural law why a set of words upon parchment should convey the dominion of land why the son should have a right to exclude his fellow-creatures from a determinate spot of ground because his father had done so before him or why the occupier of a particular field or of a jewel, when lying on his death bed and no longer able to maintain possession should be entitled to tell the rest of the world which of them should enjoy it after him "[4]

Blackstone thought that these questions which challenge "the sole and despotic dominion" of the property holder would be useless and even troublesome in common life " As a man of his world he felt bound to say that "it is well if the mass of mankind will obey the laws when

ercise "the sole and despotic dominion" over the land and the resources of nature The ultimate title does not lie in the owner The title is in "mankind," in *The People* as a corporate community. The rights of the individual in that patrimony are creations of the law, and have no other validity except as they are ordained by law. The purpose of laws which establish private property is not to satisfy the acquisitive and possessive instincts of the primitive man, but to promote "the grand ends of civil society"—which comprehend "the peace and security of individuals"

Because the legal owner enjoys the use of a limited necessity belonging to all men, he cannot be the sovereign

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recognized theorists developed regressively the conception of private property as an absolute right. For a time they excluded from political philosophy, from jurisprudence and from legislation almost any notion that property had duties as well as rights

Absolute private property inevitably produced intolerable evils Absolute owners did grave damage to their neighbors and to their descendants they ruined the fertility of the land they exploited destructively the minerals under the surface, they burned and cut forests, they destroyed the wild life, they polluted streams, they cornered supplies and formed monopolies they held land and resources out of use, they exploited the feeble bargaining power of wage earners

For such abuses of absolute property the political scientists and the law makers had no remedy They had lost the tradition that property is the creation of the law for social ... ich the law ... idvid al ts

ercise "the sole and despotic dominion" over the land and the resources of nature. The ultimate title does not lie in the owner The title is in "mankind," in *The People* as a corporate community The rights of the individual [redacted] that patrimony are creations of the law, and have no other validity except as they are ordained by law The purpose of laws which establish private property is not to satisfy the acquisitive and possessive instincts of the primitive man, but to promote "the grand ends of civil society"— which comprehend "the peace and security of individuals "

Because the legal owner enjoys the use of a limited necessity belonging to all men, he cannot be the sovereign lord of his possessions He is not entitled to exercise his absolute and therefore arbitrary will. He owes duties that correspond with his rights His ownership is a grant made by the laws to achieve not his private purposes but the common social purpose And, therefore, the laws of property may and should be judged reviewed and, when necessary, amended so as to define the specific system of rights and duties that will promote the ends of society

This is a doctrine of private property which denies the pretension [redacted] a "sole and despotic dominion " When Blackstone, though his conscience was troubled, accepted the sole and despotic dominion, he broke with the public philosophy and the traditions of civility After his break the recognized theorists developed regressively the conception of private property as an absolute right. For a time they excluded from political philosophy from jurisprudence and from legislation almost any notion that property had duties as well as rights

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For such abuses of absolute property the political scientists and the law makers had no rem-dy They had lost the tradition that property is the creation of the law for social purposes They had no principles by which the law could deal th the abuses of property The individualists

century could not, therefore, defend and

ciples which he stated so well. The earth is the general property of all mankind Private titles of ownership are assigned by law making authorities to promote the grand ends of civil society Private property is therefore, a system of legal rights and duties Under changing conditions the system must be kept in accord with the grand ends of civil society

Blackstone and his successors did not work out legal propositions from these principles ? As I am contending that it would have been better if they had done so, I now ask myself what is the validity of these principles? Are they devices, like the rules of the road for regulating the traffic? If they are only that then another set of assumptions could be just as valid, like the rule of the road in Britain that one must drive to the left One could, and in fact men have, constructed systems of property on quite different assumptions—on the assumption for example, that the earth is the general property of white men only, or of a master race of white men or of those castes which have not sinned in a previous incarnation But if the principles are more than that if they have a validity which overrides such special claims, what is the virtue which gives them their validity?

They are the laws of a rational order of human society —in the sense that all men when they are sincerely and lucidly rational, will regard them as self-evident The rational order consists of the terms which must be met in order to fulfill men s capacity for the good life in this world. They are the terms of the widest consensus of rational men in a plural society They are the propositions to which all men concerned if they are sincerely and lucidly rational, can be expected to converge There could never be a consensus that Africa belongs to the descendants of the Dutch settlers a property system founded on that pretension cannot be generally acceptable, and will generate disorder The classical doctrine has a superior validity in that a system of property based upon it may obtain a consensus of support in the community, and would have the prospect of being workable

When we speak of these principles as natural laws we must be careful They are not scientific "laws" like the laws of the motions of the heavenly bodies They do not describe human behavior as it is They prescribe what it

'ood Society, Ch. 12.

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[illegible]

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edge and survey of vice is in this world so necessary to the constituting of human virtue, and the scanning of error to the confirmation of truth, how can we more safely, and with less danger, scout into the regions of sin and falsity than by reading all manner of tractates and hearing all manner of reason?[9]

The method of dialectics is to confront ideas with opposing ideas in order that the pro and the con of the dispute will lead to true ideas But the dispute must not be treated as a trial of strength. It must be a means of elucidation In a Socratic dialogue the disputants are arguing co-operatively in order to acquire more wisdom than either of them had when he began In a sophistical argument the sophist is out to win a case, using rhetoric and not dialectic "Both alike," says Aristotle, "are concerned with such things

Divorced from its original purpose and justification, as a process of criticism, freedom to think and speak are not self-evident

ness of their truth, could not be a vital interest of a great state but for the presumption that they are the shaft which goes with the utterance of true and significant words

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[9] Milton's *Areopagitica* (Oxford University Press, 1949), pp 18-19

[10] *Rhetoric* Bk. I, Ch. 1. 1354a1 3

[11] *Topics* Bk. I, Ch. 2, 101b3-4

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cern truth there are rules of evidence and of parliamentary procedure, there are codes of fair dealing and fair comment, by which a loyal man will consider himself bound when he exercises the right to publish opinions For the right to freedom of speech is no license to deceive, and willful misrepresentation is a violation of its principles It is sophistry to pretend that in a free country a man has some sort of inalienable or constitutional right to deceive his fellow men There is no more right to deceive than there is a right to swindle, to cheat, or to pick pockets It may be inexpedient to arraign every public liar, as we try to arraign other swindlers It may be a poor policy to have too many laws which encourage litigation about matters of opinion But, in principle there . . .
munity for lying . . .

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cal process for finding truth works best when the same audience hears all the sides of the disputation This is manifestly impossible in the moving pictures if a film advocates a thesis, the same audience cannot be shown another film designed to answer it Radio and television broadcasts do permit some debate But despite the effort of the companies to let opposing views be heard equally, and to organize programs on which there are opposing speakers, the technical conditions of broadcasting do not favor genuine and productive debate For the [illegible]
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audience have the benefit of the process by which truth is sifted from error—the dialectic of debate in which there is immediate challenge reply cross-examination, and rebuttal The men who regularly broadcast the news and comment upon the news cannot—like a speaker in the Senate or in the House of Commons—be challenged by one of their listeners and compelled then and there to verify their statements of fact and to re argue their inferences from the facts

Yet when genuine debate is lacking, freedom of speech does not work as it is meant to work It has lost the principle wh[illegible] [illegible]ites it and justifies it—that is to say,

paper press taken as a whole, freedom is largely unrestricted by law Where confrontation is difficult, as in broadcasting, there is also an acceptance of the principle that some legal regulation is necessary—for example, in order to insure fair play for political parties When confrontation is impossible, as in the moving picture, or in the so-called comic books there will be censorship

4. *The Limits of Dissent*

The counterrevolutionary movements have subjected the liberal democracies to severe stresses and strains how to insure their security and survival without abandoning their liberties. They are faced with popular movements, aided and abetted by unfriendly foreign powers, and employing the machinery of democratic governments to capture it and in order to abolish it. When they are working to attain power and before they do attain it, the fascist and communist parties invoke all the guarantees of the bill of rights all the prerogatives of popular parties of elections, of representation of the assemblies, of tenure in the civil service But when they attain power they destroy the liberal democratic institutions on which, as on a broad staircase, they climbed to power

This exploitation of free institutions is, it seems to me, compelling proof that these institutions are inseparable from the public philosophy If the connection is forgotten, as is so generally the case in the contemporary democracies, free institutions are poorly defended by the liberal democracies They are the easy prey of their enemies Either the fascists seize power in order to forestall th[redacted] communists, or the communists seize power to forestall the fascists

There [redacted] no equivocation in the public philosophy about the principle of the defense of free institutions. The rule [redacted] that the right to enjoy them and the duty to maintain them are inseparable The right to these institutions is, that is to say for those who adhere to them

The criterion of loyalty is an indubitable commitment to defend and preserve the order of political and civil rights The question of whether the liberal democratic states should outlaw, or in other ways contain counter revolutionary movements is not one of principle but of expediency, of practical prudence There is no doubt

already reached, or all it will be reached if time enough is given. The arbitrary will or other individual peculiarities of a sufficiently large number of minds may postpone the general agreement in that opinion indefinitely, but it cannot affect what the character of that opinion shall be when it is reached. This final opinion then is independent, not indeed of thought in general, but of all that is arbitrary and individual in thought: is quite independent of how you, or I, or any number of men, think.[33]

It is not possible to reject this faith in the efficacy of reason and at the same time to believe that communities of men enjoying freedom could govern themselves successfully

5 *The Mirror of History*

WE FIND, then, that the principle of freedom of speech, like that of private property, falls within the bounds of the public philosophy It can be justified applied, regulated in a plural society only by adhering to the postulate that there is a rational order of things in which it is possible, by sincere inquiry and rational debate, to distinguish the true and the false, the right and the wrong, the good which leads to the realization of human ends and the evil which leads to destruction and to the death of civility

The free political institutions of the Western world were conceived and established by men who believed that honest reflection on the common experience of mankind would always cause men to come to the same ultimate [illegible]

[33] Cited in Herbert W Schneider, *A History of American Philosophy* (1946), p 517 From a review of Fraser's *Works of George Berkeley* in *North American Review*, Vol CXIII (1871),

mitted. The new generation is faced with the task of re-discovering and re-inventing and relearning, by trial and error, most of what the guardians of a society need to know

No one generation can do this *For no one generation* ... the arts and ... than ... what their ancestors had already learned They can do advanced experiments if they do not have to learn all over again how [redacted] do the elementary ones That is why a so- ... conserves its traditions ... tres said, 'like ... enabled, there- ... ients and things more distant.'[18]

But traditions are more than the culture of the arts and sciences They are the public world to which our private worlds are joined This continuum of public and private memories transcends all persons in their immediate and natural lives and it ties them all together In it there is performed the mystery by which individuals are adopted and initiated into membership in the community

The body which carries this mystery is the history of the community, and its central theme is the great deeds and the high purposes of the great predecessors From them the new men descend and prove themselves by be-

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rules over the natural man is at home in the good society This second nature [redacted] no proletarian but feels itself to be a rightful proprietor and ruler of the community Full al-

...

[18] Cited in Etienne Gilson, *The Spirit of Medieval Philosophy* (1940), p. 426

... *an and Goal of History* (1953), p. 271

... of Athens. They are the appetites and instincts of

day, would perhaps have said that it was only human

...cation that the people of Athens who condemned Soc-
...tes were right in their judgment. As Crito says, when
...e has closed his eyes, "of all the men of his time whom
...have known he was the wisest and justest and best."

proprietor of the laws and institutions of Athens and of the ideal of life which they serve. The necessities and the purposes of Athenian life are not something outside of Socrates, ...

...his is the inwardness of the ruling man—whatever his titles and his rank—that for the sake of his realm, of his order, of his regiment, of his ship, of his cause, he is the noble master of his own weaker and meaner passions. Although this is the aristocratic code, it is not inherent in prerogative and birth. It is functional to the capacity to rule. It is because aristocrats have been rulers, and not be-

CHAPTER TEN

The Two Realms

The Confusion of the Realms

AGAINST man living in the civilized tradition, who like Socrates rules his private impulses by the laws of the public world, there are arrayed the great adversaries. They tempt him with a total promise—that in a short and glorious struggle they will take him into the earthly heaven where he will realize all his hopes. The root of the matter is in these two conceptions of the human condition, and the ultimate issue is in the conflict between them.

As the bitter end has become visible in the countries of the total revolution, we can see how desperate is the predicament of modern men. The terrible events show that the harder they try to make earth into heaven, the more they make it a hell.

Yet, the yearning for salvation and for perfection is most surely not evil, and it is, moreover, perennial in the human soul. Are men then doomed by the very nature of things to be denied the highest good if it cannot be materialized in this world and if, as so large a number of modern men assume, it will not be materialized in another world?

The answer to this question is known. It can be had by recognizing the difference between the realm of existence where objects are materialized to our senses, and the realm of essence where they are present to the mind. I am using the ambiguous but irreplaceable word "essence" as meaning the true and undistorted nature of things. The understanding of our relation to these two realms of being is exceedingly difficult to communicate, so difficult that, as a matter of fact, it has remained an esoteric wisdom.

Yet if there is a way out of the modern predicament, it begins, I believe, where we learn to recognize the difference between the two realms. For the radical error of the modern democratic gospel is that it promises, not the good life of [illegible] but the perfect life of heaven. The root

There is a meaning given to the word "liberty" by [illegible] "the power a man has to do or forebear doing [illegible] particular action." Here we are not free merely be[illegible]cause we *may* do something: we must also be able to do [illegible] must have the faculty for doing it and the means [illegible] do it.

The word "freedom" has still another meaning in the [illegible] classical and Christian tradition. As Montesquieu put [illegible] freedom "can consist only in the power of doing what we ought to will, and in not being constrained to do what we ought not to will." We are free if we have the fac[illegible] [illegible] known [illegible]

These [illegible] ambiguit[illegible] complex [illegible] For when any one of the [illegible] to a practical test almost invariably we [illegible] the other meanings to correct its deficienc[illegible] fore impossible to choose one meaning [illegible] others or in fact to come to rest in a c[illegible] fixes a total meaning.

There is no final resting point, bec[illegible] things," as William James says, [illegible] ance. Whatever equilibrium our fin[illegible] to are but provisional [illegible] even th[illegible] rounding world of other things. [illegible] work there, it will inevitably [illegible] position from its neighbors [illegible] destroy it unless it can buy them [illegible] some part of its original p[illegible]

Words like liberty, equality, fra[illegible] various meanings which reflect the var[illegible] of things. The different meanings [illegible] clothes, each good for a season [illegible] for a time of day, none good for all [illegible] change and diversity of [illegible] definitions are [illegible]

There is a meaning given to the word "liberty" by Locke "the power a man has to do or forbear doing any particular action" Here we are not free merely because we *may* do something; we must also be able to do it,—we must have the faculty for doing it and the means to do it.

The word "freedom" has still another meaning in the classical and Christian tradition As Montesquieu put it, freedom "can consist only in the power of doing what we ought to will, and in not being constrained to do what we ought not to will." We are free if we have the faculty of knowing what we *ought* to do and the will to do it.

These are not merely verbal differences, arising from ambiguity or equivocation. They are rather facets of a complex idea. For when any one of the meanings is put [illegible] to [illegible] others, or, in fact, to come to rest in a conclusion which [illegible] there- [illegible] the fuses a total meaning.

[illegible] of [illegible] al [illegible] in [illegible] ur- [illegible] to [illegible] op- position from its neighbors Its rivals and enemies will destroy it unless it can buy them off by compromising some part of its original pretentions"

Words like liberty equality, fraternity, justice, have various meanings which reflect the variability of the flux of things The different meanings are rather like different clothes, each good for a season for certain weather and for a time of day none good for all times In the infinite change and diversity of the actual world, our conceptual definitions are never exactly and finally the whole truth For, as James said while "the essence of life is its continually changing character our concepts are all discontinuous and fixed." Like a winter overcoat, none can

[1] John Locke, *An Essay Concerning Human Understanding*, edited by A. C. Fraser (Oxford, Clarendon Press, 1894), Vol. I, Bk. II Ch. XXI Sec. 15

[illegible]

deficiency But that is not the true mean Courage is not half cowardice and half rashness Temperance is not half self indulgence and half complete abstinence. The true mean is at the tension of push and pull, of attraction and resistance among the extremes

The outcome, as Aristotle said it would be, is imprecise and inconclusive, and there is little reason to think that the wisdom of the world can ever rise above these imperfections

3 *The Law and the Prophets*

NOR DOES the wisdom of the spirit solve precisely the perplexing problems of worldly conduct. For it is the vision of a realm of being in which the problems of earthly existence are not solved but transcended.

In the immediate, urgent, and particular issues of daily fe the major prophets, the seers and the sages, have re-arkably little to offer by way of practical advice and specific guidance The deposit of wisdom in the Bible and in the classic books does not contain a systematic and comprehensive statement of moral principles from which it is possible to deduce with clarity and certainty specific answers to concrete questions. He who goes to this wisdom looking for guidance of this sort will be disappointed. If he finds it there, he must come to it by analogy and by inference The specific rules of conduct are not explicitly there. Were they there, the history of mankind would have been different. For terrible wars and poisonous hatreds arise among men who draw irreconcilably different practical conclusions from the same general principles

There is a hiatus between the highest wisdom and the actual perplexities with which men must deal. An encyclopedia of all that the prophets and the philosophers have taught will not tell a man clearly and definitely how to make laws, how to govern a state, how to educate his children—how, in fact, to decide the problems that the priest encounters in the confessional, the doctor with his patients, the lawyer with his clients, the judge with the litigants, the man of affairs in his business

Faced with practical decisions, they need to know what choice they should make among the alternatives But concrete guidance of this sort can be found only incidentally in the ... prophets and the philosophers. They

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Faced with practical decisions, they need to know what choice they should make among the alternatives. But concrete guidance of this sort can be found only incidentally in the ... of the prophets and the philosophers. They

e reference books to guide the priest in the confessional
ncerning the great variety of human issues.[3]

The great multitudes of men everywhere and always
ave demanded detailed codes of conduct. They are neces-
[illegible]

contact with the existential world.

4. *The Realm of the Spirit*

For the vision is not of this world but of another and radically different one. The Apostles, as a matter of fact, believed themselves to be living in the last days of the world, and they made no provision for a systematic and definitive record of the sacred deposit. But even if they [illegible]

it has the common man Aquinas remarks that the good do not bear with the wicked to the extent of enduring the injuries done to God and their neighbors, St. Chrysostom says that "it is praiseworthy to be patient under one's own wrongs, but the height of impiety to dissemble injuries done to God."[10]

The saying disintegrates when we attempt to treat it as a specific rule of political conduct. What, then, is its wisdom? It is not the wisdom of the public world and of how

me the law and the prophets of the Old Testament, "hath concluded all under sin" They are addressed to unregenerate men, to men as they are in the world, to the sons of Adam and Eve who have suffered what Aquinas called a "wounding of nature" In them, "reason" has lost "its perfect hold over the lower parts of the soul"

"The law," says Saint Paul, "was our schoolmaster." It corrected our ignorance, malice, weakness and lust But after the faith in Christ is come, "we are no longer under a schoolmaster" When our passions are transformed by allegiance to the other realm of being, we do not need to be disciplined. The regenerate man, says Saint Paul, is not conformed to this world, but is transformed in the renewing of his mind.[22] In the City of God, says St Augustine, "sin shall have no power to delight," and men will "not be able to sin"[23] They are led of the spirit and have been "redeemed." They can, as Confucius said, follow what their hearts desire without transgressing what is right

5 The Balance of Powers

As a MAN awakens from his primordial condition where, as Bacon said, custom is the principal magistrate of his life, he finds himself living in two worlds and subject to two allegiances There is the familiar world which he knows through his senses and there is a world of which he has only intimations and knows only through the eyes of his mind He is drawn between the two disparate realms of being, and the tension within them is the inexhaustible theme of human discourse To neither can he give his whole allegiance Their prevailing contrasts are his wretchedness Their occasional harmonies in the lives of saints and the deeds of heroes and the excellence of genius are his glory

In the traditions of civility, the prevailing view has been that the two realms are inseparable but disparate, and that man must work out his destiny in the balance, which is never fixed finally between the two

This is a view which has, however, always been challenged. There are the hedonists who would withdraw wholly *into* the realm of existence, to eat, drink, and be

[22] Romans ...

[23] ... XXII 30

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But while the separation of the powe[redacted] of the
and of the state
them, the ne
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autonomous, a
the issues of good and evil. must also meet on all

These issues arise concretely in the fixing of public policy about the family, marriage, divorce, the authority of the father and of the mother, the guardianship of children, education, inheritance, the distribution of wealth, crime and punishment, standards of taste, loyalty and allegiance, righteous and unrighteous war These issues, as Pope Leo XIII said in the Encyclical *Immortale Dei* (1885), belong "to the jurisdiction and jud[redacted]ment of both" the ecclesiastical and the civil power In all these matters the final word is in neither of the two realms of being There is in truth no final word Instead there are the provisional points of equilibrium of an unending tension among variable elements Where exactly the point of equilibrium will be [redacted] a particular place and at a particular time cannot be defined [redacted] *priori* It must be judged empirically within the postulates of the public philosophy For the elements which have to come into equilibrium are variables That is why governing is not engineering but an art That [redacted] why the same constitution and codes of laws cannot, like the plans for a jet engine, be used by all countries at any time or by any country all the time.

6 *The Mechanics of the Balance*

THE IDEA of the balancing of powers among states and within them has been used so long by so many, in such different circumstances and with such different intentions, that it is not, as a recent critic puts it, "free from philological, semantic and theoretical confusion." [16]

[16] Ernst [redacted] Haas, "The Bal
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other they are neutralized, and his power may then be sufficient to govern them.

Thus, we may say, is the mechanical principle by which the perpetual and restless desire for power after power is brought into an order The desire for power has to be reduced. This can rarely be done, and never for long, by an omnipotent ruler Tyranny, as Aristotle observed long ago, is short lived[19] Nor can the desire for power be reduced sufficiently by education and exhortation As Montesquieu said, " constant experience shows us that every man invested with power is apt to abuse it, and to carry his authority as far as it will go Is it not strange though true, to say that virtue itself has needs of limits? To prevent this abuse it is necessary from the very nature of things that power should be checked by power"[20]

In the measure that power is checked by power, that opposing powers are in balance, neither can prevail Both are constrained within a common situation In this condition when the ponderable forces are in balance, neither being able or willing to exert decisive force, the imponderable means of reason become efficacious

Inter arma silent leges In the clash of arms the laws are silent. We may add that in the truce of arms the laws are heard.

Like any technical procedure the balancing of power to neutralize power can be used for good bad and indifferent ends There are many who would say that the good end which politicians always profess is merely the rationalization of the perpetual and restless desire for power after power "The truth of the matter," said Nicholas Spykman,[21] "is that states are interested only in a balance which is in their favor the balance desired is the one which neutralizes other states, leaving the home state free to be the deciding force and the deciding voice

But of what "matter" is this the "truth"? That particular states and we may add, particular parties factions, and individual politicians are interested "in a balance which is in their favor" No doubt they are No doubt they have Hobbes desire for power after power This is

[19] *Politics* Book V Ch. 12, 1315b13
[20] Montesquieu, *op. cit.* Book XI Sec. 4
[21] ... *Strategy in World Politics* (1942) pp

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[19] *Politics*, Book V Ch. 12, 1315b13
[20] Mont *op cit.*, Book XI Sec 4
[21] N *...merican Strategy in World Politics* (1942) pp
21 25.

CHAPTER ELEVEN

The Defense of Civility

The Thesis Restated

We have now made a reconnaissance in the public philosophy in order to test the chances of its revival. Our warrant for making this attempt rests on certain general findings about the condition of the Western world.

The first is that free institutions and democracy were conceived and established by men who adhered to a public philosophy. Though there have been many schools in this philosophy, there are fundamental principles common to all of them: that, in Cicero's words, "law is the bond of civil society," and that all men, governors and the governed, are always under, are never above, laws; that these laws can be developed and refined by rational discussion, and that the highest laws are those upon which all rational men of good will, when fully informed, will tend to agree.

The second finding from which we have proceeded, in our inquiry, is that the modern democracies have abandoned the main concepts, principles, precepts, and the general manner of thinking which I have been calling the public philosophy. I hold that liberal democracy is not an intelligible form of government and cannot be made to work except by men who possess the philosophy in which liberal democracy was conceived and founded. The prospects of liberal democracy in this time of mighty counterrevolutions are therefore bound up with the question whether the public philosophy is obsolete or whether it can be revived, reunited and renewed.

I believe that the public philosophy can be revived, and the reconnaissance which we have made has been a demonstration that when it is applied to such central concepts as popular sovereignty, property, freedom of speech, and education, the public philosophy clarifies the problems and opens the way towards rational and acceptable solutions. The revival of the public philosophy depends [illegible]ther its principles and precepts—which

or even strictly speaking imagined in visual or tangible terms Yet these essences, these abstractions, which are out of sight and out of touch, are to have and to hold men's highest loyalties

The problem of communication is posed because in the modern world, as it is today, most men—not all men to be sure, but most active and influential men—are in practice positivists who hold that the only world which has reality is the physical world Only seeing is believing. Nothing is real enough to be taken seriously, nothing can be a matter of deep concern, which cannot, or at least might not, somewhere and sometime, be seen, heard, tasted, smelled, or touched

Julius Caesar was a real person because we feel sure we could have seen him in Rome had we been there in his lifetime By the same kind of popular common sense, communities have believed that werewolves were real. Had not a woman named Thiebenne Paget admitted that she was one of the wolves that was seen on July 18, 1603 in the District of Couvres?[1] To common sense the real is what, but only what, we believe has weight, mass, energy

> What's Hecuba to him or he to Hecuba that he should weep for her?

What are the ideas and ideals the laws and the obligations, of the rational order if, like Hecuba, they are not flesh and blood?

Common sense is positivist and credulous, and the usual human way of satisfying it has been to materialize ideas when those ideas had to be treated as real Men have incarnated the gods they have re-embodied their ancestors they have personified the laws, they have hypostasized their ideas They have made the abstractions and universals intelligible in concrete terms, and so matters of genuine concern by connecting them with the realties of everyday experience

The difficulty of communicating imponderable truths to common sense is not a new one Through the ages truths that could not be materialized have been regarded as esoteric, and communicable only to an initiated few

[1] *The B... -Gray B...ktoles* arranged and edited by James R.

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The Gospels state that there were mysteries which Jesus could unveil only to a few. He said, 'He who has ears to hear, let him hear.'[2] But—

> "When he was alone, those who were about him with the twelve asked him concerning the parables. And he said to them "To you has been given the secret of the kingdom of God, but for those outside everything is in parables . . ."[3]

Only privately to his own disciples, says Mark, did he explain "everything', to 'the whole crowd' he spoke the word "as they were able to hear it, he did not speak to them without a parable "

Why? Because, says Dante, the divine mysteries are beyond the reach of human understanding—

> It is needful to speak thus to your wit since only through *objects of sense does it apprehend that which it afterwards would make worthy of the intellect.* For this the scripture condescends to your capacity, and attributes *feet and hands to God,* and means otherwise.[4]

There is a need to condescend to our capacity because as Paul Tillich puts it, It is impossible to be concerned

concern about it. The completely concrete being, the individual person, is the object of the most radical concern —the concern of love ' There is in consequence, he says, an 'inescapable inner tension in the idea of God" —between God conceived as transcending all that is particular and finite, on the one hand, and the concreteness of an image of God on the other *In order to have a* human concern there is needed a "being to being relationship . . . a concrete God, a God with whom man can deal' in his religious experience[5]

While Tillich is a theologian examining the meaning

[2] The Gospel According to St. Mark, IV 9

[3] *Ibid* IV 10-12.

[4] *Divine Comedy* translated by C. E. Norton (1941) *Paradise* Canto IV verses 40-45

[5] Paul Tillich, *Systematic Theology* (1951), Vol I Part II p 211

of God, which he defines as the "name for that which concerns men ultimately," his findings illuminate the problem which we are studying. How can men be concerned effectively with ideas and ideals that transcend their personal experience and cannot be verified empirically in the realm of existence? The principles of the good society call for a concern with an order of being—which cannot be proved existentially to the sense organs—where it matters supremely that the human person is inviolable, that reason shall regulate the will, that truth shall prevail over error

Because it is difficult to care about that which is not concrete, there is, in Tillich's language, "a tension in human experience" In order to become concerned about, to feel committed to, transcendent objects, we have to believe in them to believe in them they *must* be concrete, they must in fact or in imagination be drawn into the orbit of our sense organs But as we condescend in this fashion to our capacity, attributing foot and hand to God, the belief becomes involved with, often dependent upon, the materialization Because of this dependence, the belief is vulnerable For a little knowledge, as for example that the foot and hand are a metaphor, may destroy the belief.

3 *Constitutionalism Made Concrete*

EARLY in the history of Western society political thinkers in Rome hit upon the idea that the concepts of the public philosophy—particularly the idea of reciprocal rights and duties under law—could be given concreteness by treating them as contracts In this way, freedom emanating from a constitutional order has been advocated explained, made real to the imagination and the conscience of Western men, by establishing the presumption that civilized society is founded on a public social contract.

A contract is an agreement reached voluntarily, *quid pro quo*, and likely, therefore, to be observed—in any event, rightfully enforceable Being voluntary, it has the consent of the parties The presumption is not only that one party has acceded to what the other party proposed, but also that, in the original meaning of the word, both ... ted—that they have thought, felt and

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taste."[7] It is necessary somehow to give authority to these unwritten laws, to invest them in some way with the reality of concreteness. The public philosophers drew by analogy upon the Roman Law, which presumed that in certain cases an agreement had been reached and an obligation incurred by acts unaccompanied by any express pact (*quasi ex contractu*).[8]

The general idea that the unwritten laws of public [illegible]

[illegible]

standings The Ark of the Covenant, says Deuteronomy, contained the two tables of stone on which were written [illegible]

[illegible]

ony have convinced the Israelites that they must obey the Ten Commandments? They would not have gotten ach obedience to the Commandments if they had told Israelites that it was not certain, but merely probable, at they had been drawn up by Moses himself, and that could be assumed that the Commandments reflected e considered judgment of Moses of how best to promote he greatest happiness of the greatest number of Israelites he Ten Commandments had a better chance of being beyed by the Israelites if they were written by God, rather than by another Israelite And it was easier to believe that God did write them if, *once* upon a time, the two tables of stone had been deposited in the Ark of the Covenant.

Many in the modern age have rejected the idea of the contractual basis of power because, as a matter of fact, there never was an historic contract. Bentham, for example, knew that the two tables of stone could not be found and he wrote that "the origination of governments from a contract is a pure fiction, or in other words a

[7] Lord Moulton, "Law and Manners," in *Atlantic Monthly* (July 1924)

[8] Charles Howard McIlwain, *The Growth of Political Thought in the W*[illegible], p. 118

4 *The Language of Accommodation*

MEN HAVE been laboring with the problem of how to make concrete and real what is abstract and immaterial ever since the Greek philosophers began to feel the need to accommodate the popular Homeric religion to the advance of science The theologians, says Aristotle, are like the philosophers in that they promulgate certain doctrines, but they are unlike them in that they do so in mythical form.[11]

The method of accommodation employed by the philosophers has been to treat the materialization in the myth as allegory as translation of the same knowledge into another language [12] To converse with the devil, for example, could then mean what literally it says—to talk face to face with the devil, a concrete materialized personage But it could mean, also, the imitation of a wicked nature without—as the Cambridge Platonist John Smith wrote, "a mutual local presence," [13] that is to say without meeting a devil in person. This was an accommodation to those who, believing in the wickedness of evil, could not believe in the personified devil. The devil could mean either "some apostate spirit as one particular being" and also "the spirit of apostasie which is lodged in all men s natures." This is the method of plural interpretation, it uses "the language of accommodation" It is justified and legitimate said John Smith in his discourse entitled "A Christian s Conflicts and Conquests," because "truth is content, when it comes into the world, to wear our mantles, to learn our language, to conform itself as it were to our dress and fashions it speaks with the most idiotical sort of men in the most idiotical way, and becomes all things to all men, as every sonne of truth should do for their good."[14]

[11] Werner Jaeger *The Theology of the Early Greek Philosophers* (The Gifford Lectures 1936) p. 10 Cf. Aristotle, *Metaphysics* Bk. III Ch. 4 1000a 4-18

[12] Cf Basil Willey *The Seventeenth Century Background* (1952) Ch. IV

[13] *Ibid.*, p 138 *et seq*

[14] *Ibid.*

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[22] Cf. Basil Willey *The Seventeenth Century Background* (1952), Ch. IV

[23] *Ibid.*, p. 3 *et seq*

[24] *Ibid*

that despite the innumerable learned controversies of the lawyers, the theologians and the philosophers, "all were agreed that there was natural law, which, on the one hand, radiated from a principle transcending earthly power, and on the other hand was true and perfectly binding law . . . the highest power on earth was subject to the rules of natural law They stood above the Pope and above the Kaiser, above the ruler and above the sovereign people, nay, above the whole community of mortals Neither statute nor act of government, neither resolution of the people nor custom, could break the bounds that thus were set. Whatever contradicted the eternal and immutable principles of natural law was utterly void and would bind no one "[14]

But though there was agreement on this, there was deep controversy over whether the natural laws were the commands of God or whether they were the dictates of an eternal reason, grounded on the being of God, and unalterable even by God himself How were men to imagine, to materialize and make concrete the natural law which is above the Pope and the Kaiser and all mortals? As decrees of an omniscient and omnipotent heavenly king? Or as the principles of the nature of things? There were some who could not conceive of binding laws which had to be obeyed unless there was a lawgiver made in the image of the human lawgivers they had seen or heard about There were others to whose capacity it was not necessary to condescend with quite that much materialization.

The crucial point, however, is not where the naturalists and supernaturalists disagreed It is that they did agree that there was a valid law which, whether it was the commandment of God or the reason of things, was transcendent. They did agree that it was not something decided upon by certain men and then proclaimed by them. It was not someone's fancy, someone's prejudice, someone's wish or rationalization, a psychological experience and no more It is there objectively, not subjectively It can be discovered. It has to be obeyed

[14] Otto von Gierke, *Political Theories of the Middle Age*, translated with an Introduction by Frederick William Maitland (Cambridge University Press, 1927) Cf. pp. 73-87 and more especially

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traditions of civility We are back in the war of all men against all men There is left no ground for accommoda tion among the varieties of men, nor is there in this proclamation of anarchy a will to find an accommodation

And why, we may ask, is there among such modern philosophers as these no concern like that of their great predecessors to find an accommodaton? It is not only because they themselves have ceased to believe in the metaphors—in the sacred images They have ceased to believe that behind the metaphors and the sacred images there is any kind of independent reality that can be known and must be recognized.

Thus they reject "the concept of 'truth' as something dependent upon facts largely outside human control" which as Bertrand Russell says, "has been one of the ways in which philosophy hitherto has inculcated the necessary element of humility When this check upon pride is removed a further step is taken on the road towards a certain kind of madness—the intoxication of power which invaded philosophy with Fichte and to which modern men whether philosophers or not, are prone I am persuaded that this intoxication is the greatest danger of our time, and that any philosophy which however unintentionally contributes to it is increasing the danger of vast social disaster"[18]

7 *The Mandate of Heaven*

AT THE end, then the questions are how we conceive of ourselves and the public world beyond our private selves Much depends upon the philosophers For though they are not kings they are, we may say, the teachers of the teachers "In the history of Western governments" says Francis G Wilson[19] "the transitions of society can be marked by the changing character of the intellectuals," who have served the government as lawyers, advisers, administrators who have been teachers in the schools, who have been members of professions like medicine and theology It is through them that doctrines are made to

[18] Bertrand Russell *History of Western Philosophy* (1945), p 828

[19] Francis G Wilson, "Public Opinion and the Intellectuals," in ... *...ence Review* (June 1954)

6 *The Death of God*

As LONG, then, as both the philosopher and the theologian believe in the objective order there can be accommodation about the degree and kind of materialization. The range and variety of men's capacity to understand is very great. So too must be the range and variety of the images which condescend to their varying capacities. We can, therefore, avoid much misunderstanding if we do not confound the materialization—which is the mode of communicating belief—with the subject of the belief. For not until we go down under the comparatively superficial question of belief or unbelief in any particular materialization do we find the radical problems of belief and unbelief.

When Martin Buber speaks of the great images of God fashioned by mankind, he recognizes that there can be many images, or indeed that there can be no image which has concreteness to our sense perceptions.

The critical question does not turn on whether men do or do not believe in an imagery. It turns on whether they believe that a man is able to experience a reality absolutely independent of himself. When Sartre, following Nietzsche, says that God is dead, the critical point is not that he refuses to believe in the existence, however attenuated, of an anthropomorphic God. There can be, indeed there is, [illegible] faith and deep religion without any concrete image of God. The radical unbelief lies underneath the [illegible] of God's death. It is in Sartre's saying that [illegible] with God the Father someone is needed to invent [illegible] life has

ally discredited among contemporary men Because of that, what we may call the terms of discourse [redacted] public controversy are highly unfavorable to anyone who adheres to the public philosophy The signs and seals of legitimacy, of rightness and of truth, have been taken over by men who reject, even when they are not the avowed adversaries of, the doctrine of constitutional democracy

If the decline of the West under the misrule of the people [redacted] to be halted it will be necessary to alter these terms of discourse They are now set overwhelmingly against the credibility and against the rightness of the principles of the constitutional state, they are set in favor of the Jacobin conception of the emancipated and sovereign people [10]

I have been arguing, hopefully and wishfully, that it may be possible to alter the terms of discourse if a convincing demonstration can be made that the principles of the good society are not, in Sartre's phrase, invented and chosen—that the conditions which must be met if there is to be a good society are there, outside our wishes, where they can be discovered by rational inquiry, and developed and adapted and refined by rational discussion

If eventually this were demonstrated successfully, it would, I believe, rearm all those who are concerned with the anomy of our society, with its progressive barbarization, and with its descent into violence and tyranny. Amidst the quagmire of moral impressionism they would stand again on hard intellectual ground where there are significant objects that are given and are not merely projected, that are compelling and are not merely wished Their hope would be re-established that there is a public world, sovereign above the infinite number of contradictory and competing private worlds Without this certainty, their struggle must be unavailing

As the defenders of civility they cannot do without the signs and seals of legitimacy, of rightness and of truth For it is a practical rule, well known to experienced men, that the relation [redacted] very close between our capacity to act at all and our conviction that the action we are taking is right. This does not mean, of course, that the action *is* necessarily right. What is necessary to continuous action is that it shall be *believed* [redacted] be right

operate [illegible] practical affairs. And their doctrine, which they, themselves, have learned in the schools and universities, will have the shape and the reference and the direction which the prevailing philosophy gives it.

That is how and why philosophy and theology are the ultimate and decisive studies in which we engage. In them are defined the main characteristics of the images of man which will be acted upon in the arts and sciences of the epoch. The role of philosophers [illegible] rarely, no doubt, creative. But it is critical in that they have a deciding influence in determining what may be believed, how it can be believed, and what cannot be believed. The philosophers, one might say, stand at the crossroads. While they may not cause the traffic to move, they can stop it and start it, they can direct it one way or the other.

I do not contend, though I hope, that the decline of Western society will be arrested if the teachers in our schools and universities come back to the great tradition of the public philosophy. [illegible] I do contend that the decline, which is already far advanced, *cannot be arrested* if the prevailing philosophers oppose this restoration and revival, if they impugn rather than support the validity of an order which is superior to the values that Sartre tells each man to invent.

What the prevailing philosophers say about religion is not itself, in Tillich's terms, [illegible] an ultimate concern of worship and [illegible]. But if the philosophers teach that religious experience is [illegible] purely psychological phenomenon, related to [illegible] each man's psychic condition, then they will [illegible] men who had intellectual conscience [illegible] experiences. The philosopher cannot give them religion. But they can keep them away from it.

Philosophers play the same [illegible] in relation to the principles of the good society. [illegible] require [illegible] seen the mastery of human nature [illegible] by an acquired rational second nature. In the literal [illegible] the principles of the good society must be unpopular until they have prevailed sufficiently to alter the popular impulses. For the popular impulses are opposed to public principles. These principles cannot be made to prevail if they are discredited,—if they are dismissed as superstition, as obscurantism, as meaningless metaphysics, as reactionary, as self-seeking rationalizations.

The public philosophy is in a large meas[illegible]

ally discredited among contemporary men. Because of that, what we may call the terms of discourse in public controversy are highly unfavorable to anyone who adheres to the public philosophy. The signs and seals of legitimacy, of rightness and of truth, have been taken over by men who reject, even when they are not the avowed adversaries of, the doctrine of constitutional democracy.

If the decline of the West under the misrule of the people is to be halted, it will be necessary to alter these terms of discourse. They are now set overwhelmingly against the credibility and against the rightness of the principles of the constitutional state; they are set in favor of the Jacobin conception of the emancipated and sovereign people.[13]

I have been arguing, hopefully and wishfully, that it may be possible to alter the terms of discourse if a convincing demonstration can be made that the principles of the good society are not, in Sartre's phrase, invented and chosen—that the conditions which must be met if there is to be a good society are there, outside our wishes, where they can be discovered by rational inquiry, and developed and adapted and refined by rational discussion.

If eventually this were demonstrated successfully, it would, I believe, rearm all those who are concerned with the anomy of our society, with its progressive barbarization, and with its descent into violence and tyranny. Amidst the quagmire of moral impressionism they would stand again on hard intellectual ground where there are significant objects that are given and are not merely projected, that are compelling and are not merely wished. Their hope would be re-established that there is a public world, sovereign above the infinite number of contradictory and competing private worlds. Without this certainty, their struggle must be unavailing.

As the defenders of civility, they cannot do without the signs and seals of legitimacy, of rightness and of truth. For it is a practical rule, well known to experienced men, that the relation is very close between our capacity to act at all and our conviction that the action we are taking is right. This does not mean, of course, that the action *is* necessarily right. What is necessary to continuous action is that it shall be *believed* to be right.

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man, an object of respect? Or is it to make murder itself as indifferent as shooting a plover, and the extermination of the Rohilla nation[*] as innocent as the swallowing of mites on a morsel of cheese? If such a case should happen, would not one of these, the most credulous of all believers, have reason to pray to his eternal nature or his almighty chance (the more absurdity there is in this address the more in character) *give us again the gods of the Greeks, give us again the more intelligible as well as more comfortable systems of Athanasius and Calvin, nay, give us again our popes and hierarchies, Benedictines and Jesuits, with all their superstition and fanaticism, impostures and tyranny* A certain duchess of venerable years and masculine understanding[12] said of some of the philosophers of the eighteenth century admirably well, "On ne croit pas dans le Christianisme, mais on croit toutes les sottises possibles"

[12] The Duchess d'Enville, the mother of the Duc de la Rochefoucauld The author heard those words from that lady's own lips, with many other striking effusions of the strong and large mind of a great and excellent female character J A

IV LETTERS TO JOHN TAYLOR, OF CAROLINE, VIRGINIA[1]

In 1814 John Taylor of Caroline, Virginia published *An Inquiry into the Principles and Policy of the Government of the United States* which contained a running commentary on John Adams *Defence* It was Adams' view that Taylor had misconceived or not properly comprehended the main thesis of the *Defence* Hence these letters represent Adams' second look at his own *Defence* and are in addition a rejoinder to Taylor's strictures The writing is lively, not ponderous at times quite penetrating and represents well Adams' political views in his old age The caustic tone of some of the letters may not be interpreted to mean that Adams and Taylor were enemies Adams always took delight in controversial, even heated, debate on matters of government. In fact, he and John Taylor despite political differences became firm in their friendship in part as a result of this very exchange of views. Two years before Adams' death in 1826 John Taylor expressed his esteem for his old friend by requesting him "to file among your archives some facts [which Taylor had recorded in his letter,] which may meet the eye of a historian as well as to give some pleasure to a patriot, who I believe has served his country faithfully and has done what man can do to please his God."[2]

I[3]

QUINCY, 15 April, 1814

Sir I have received your *Inquiry* in a large volume neatly bound Though I have not read it in course, yet, upon an application of it of the *Sortes Virgilianæ*, scarce a page has been found in which my name is not mentioned and some public sentiment or expression of mine examined Revised as these subjects are, in this manner in the recollection of the public, after an oblivion of so many years by a gentleman of your high rank, ample fortune, learned education, and powerful connec-

[1] [*Works* VI 447–521 passim.]
[2] [X 412]
[3] [VI, 447–449]

tions, I flatter myself it will not be thought improper in me to solicit your attention to a few explanations and justifications of a book that has been misunderstood, misrepresented, and abused more than any other, except the Bible, that I have ever read

In the first words of the first section, you say, 'Mr Adams' political system deduces government from a *natural* fate; the policy of the United States deduces it from *moral* liberty"

This sentence, I must acknowledge, passes all my understanding I know not what is meant by fate, nor what distinction there is, or may be made or conceived, between a natural and artificial or unnatural fate Nor do I well know what 'moral liberty" signifies I have read a great deal about the words *fate* and *chance*, but though I close my eyes to abstract my meditations, I never could conceive any idea of either When an action or event happens or occurs without a cause, some say it happens by chance This is equivalent to saying that chance is no cause at all, it is nothing Fate, too, is no cause, no agent, no power; it has neither understanding will, affections, liberty, nor choice, it has no existence, it is not even a figment of imagination, it is a mere invention of a word without a meaning, it is a nonentity, it is nothing Mr Adams most certainly never deduced any system from chance or fate, natural, artificial, or unnatural

Liberty, according to my metaphysics, is an intellectual quality, an attribute that belongs not to fate nor chance Neither possesses it, neither is capable of it There is nothing moral or immoral in the idea of it The definition of it is a self-determining power in an intellectual agent It implies thought and choice and power; it can elect between objects, indifferent in point of morality, neither morally good nor morally evil If the substance in which this quality, attribute, adjective—call it what you will—exists, has a moral sense, a conscience, a moral faculty if it can distinguish between moral good and moral evil, and has power to choose the former and refuse the latter, it can if it will, choose the evil and reject the good, as we see in experience it very often does

"Mr Adams' system" and "the policy of the United States" are drawn from the same sources, deduced from the same prin

ciples, wrought into the same frame indeed they are the same and ought never to have been divided or separated much less set in opposition to each other as they have been

That we may more clearly see how these hints apply, certain technical terms must be defined

1 Despotism A sovereignty unlimited that is, the suprema lex the *summa potestatis* in one[a] This has rarely if ever existed but in theory

2 Monarchy Sovereignty in one variously limited

3 Aristocracy Sovereignty in a few

4 Democracy Sovereignty in the many that is in the whole nation the whole body assemblage congregation or if you are an Episcopalian[b] you may call it, if you please, *church* of the whole people This sovereignty must in all cases, be exerted or exercised by the whole people assembled together This form of government has seldom if ever existed but in theory—as rarely, at least as an unlimited despotism in one individual

5 The infinite variety of mixed governments are all so many different combinations modifications and intermixtures of the second, third, and fourth species or divisions

Now every one of these sovereigns possesses intellectual liberty to act for the public good or not Being men they have all what Dr Rush calls a *moral faculty* Dr Hutcheson a *moral sense*; and the Bible and the generality of the *world a conscience* They *are all* therefore under moral obligations to do to others as they would have others *do to them*—to consider themselves born authorized empowered for the good of society as well as their own good Despots monarchs, aristocrats democrats holding such high trusts are under the most solemn and the most sacred moral obligations to consider their trusts and their power to be instituted for the benefit and happiness of their nations, not their nations as servants to them or their friends or parties In other words to exert all their intellectual liberty to employ all their faculties talents and power for the public, general universal good of their nations not for their own separate good or the interest of any party

In this point of view there is no difference in forms of govern

ment. All of them and all men concerned in them—all are under equal moral obligations The intellectual liberty of aristocracies and democracies can be exerted only by votes and ascertained only by ayes and noes The sovereign judgment and will can be determined known and declared only by majorities. This will this decision is sometimes determined by a single vote, often by two or three, very rarely by a large majority scarcely ever by a unanimous suffrage And from the impossibility of keeping together at all times the same number of voters the majorities are apt to waver from day to day and swing like a pendulum from side to side.

Nevertheless the minorities have, in all cases the same intellectual liberty and are under the same moral obligations as the majorities

In what manner these theoretical intellectual liberties have been exercised and these moral obligations fulfilled by despots, monarchs, aristocrats, and democrats is obvious enough in history and in experience They have all in general conducted themselves alike

But this investigation is not at present before us.

2*

There is no necessity of confronting Mr Adams opinion that aristocracy is natural and therefore unavoidable with the other that it is artificial or factitious and therefore avoidable" because the opinions are both true and perfectly consistent with each other

By *natural aristocracy* in general may be understood those superiorities of influence in society which grow out of the constitution of human nature By *artificial aristocracy* those inequalities of weight and superiorities of influence which are created and established by civil laws Terms must be defined before we can reason By aristocracy I understand all those men who can command influence or procure more than an average of votes by an aristocrat every man who can and will influence one man

*[VI 451–452.]

to vote besides himself Few men will deny that there is a natural aristocracy of virtues and talents in every nation and in every party in every city and village Inequalities are a part of the natural history of man

3*

I believe that none but Helvetius will affirm that all children are born with equal genius

None will pretend that all are born of dispositions exactly alike—of equal weight, equal strength equal length equal delicacy of nerves equal elasticity of muscles equal complexions, equal figure grace, or beauty

I have seen in the Hospital of Foundlings, the "*Enfans Trouvés*" at Paris, fifty babes in one room—all under four days old, all in cradles alike, all nursed and attended alike all dressed alike, all equally neat I went from one end to the other of the whole row and attentively observed all their countenances. And I never saw a greater variety or more striking inequalities in the streets of Paris or London Some had every sign of grief sorrow, and despair others had joy and gayety in their faces. Some were sinking in the arms of death others looked as if they might live to fourscore Some were as ugly and others as beautiful as children or adults ever are these were stupid those sensible. These were all born to equal rights, but to very different fortunes, to very different success and influence in life

The world would not contain the books if one should produce all the examples that reading and experience would furnish One or two permit me to hint.

Will any man say would Helvetius say that all men are born equal in strength? Was Hercules no stronger than his neighbors? How many nations for how many ages have been governed by his strength and by the reputation and renown of it by his posterity? If you have lately read Hume Robertson or the Scottish Chiefs let me ask you if Sir William Wallace was no more than equal in strength to the average of Scotchmen, and whether

* [VI 452–454]

ment. All of them, and all men concerned in them—all are under equal moral obligations. The intellectual liberty of aristocracies and democracies can be exerted only by votes and ascertained only by ayes and noes The sovereign judgment and will can be determined known, and declared only by majorities This will, this decision, is sometimes determined by a single vote, often by two or three, *very rarely by a large majority, scarcely ever by a unanimous suffrage.* And from the impossibility of keeping together at all times the same number of voters, the *majorities are apt to waver from day to day and swing like a* pendulum from side to side.

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. . . There is no necessity of 'confronting Mr Adams' opinion, that aristocracy is natural and therefore unavoidable, with the other, that it is artificial or factitious and therefore avoidable," because the opinions are both true and perfectly consistent with each other

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[4] [VI, 451–452.]

been thy object, your pamphlet on privileged orders would have been a very different thing[1]

That all men are born to equal rights is true Every being has a right [illegible] his own, as clear, as moral, as sacred as any other being has This is as indubitable as a moral government in the universe But to teach that all men are born with equal powers and faculties to equal influence in society, to equal property and advantages through life, is as gross a fraud, as glaring an imposition on the credulity of the people as ever was practised by monks, by Druids,[e] by Brahmins, by priests of the immortal Lama, or by the self-styled philosophers of the French revolution

honors sake, Mr Taylor, for truth and virtue's sake, let erican philosophers and politicians despise it.

Ir Adams leaves to Homer and Virgil, to Tacitus and Quinan, to Mahomet and Calvin, to Edwards and Priestley, or, if u will to Milton s angels reasoning high in pandemonium all ir acute speculations about fate, destiny, foreknowledge abso te, necessity, and predestination He thinks it problematical hether there is, or ever will be, more than one Being capable understanding this vast subject In his principles of legislation has nothing to do with these interminable controversies. He nsiders men as free, moral, and accountable agents, and he kes men as God has made them And will Mr Taylor deny at God has made some men deaf and some blind or will he firm that these will infallibly have as much influence in ciety and be able to procure as many votes as any who can e and hear?

Honor the day,[8] and believe me no enemy. . . .

4[7]

When your new democratical republic meets, you will find half a dozen men of independent fortunes, half a dozen, of more eloquence half a dozen with more learning; half a dozen with eloquence, learning, and fortune

Let me see. We have now twenty four; to these we may

[8] 19 April The anniversary of the action [illegible] Lexington.

Wallace could have done what he did without that extraordinary strength?

Will Helvetius or Rousseau say that all men and women are *born equal in beauty?* Will any philosopher say that beauty has no influence in human society? If he does, let him read the histories of Eve, Judith, Helen, the fair Gabrielle, Diana of Poitiers, Pompadour, du Barry, Susanna, Abigail, Lady Hamilton, Mrs Clark, and a million others Are not despots, monarchs, aristocrats, and democrats equally liable to be seduced by beauty to confer favors and influence suffrages?

Socrates calls beauty a short lived tyranny; Plato, the privilege of nature, Theophrastus, a mute eloquence, Diogenes, the best letter of recommendation Carneades, a queen without soldiers Theocritus, a serpent covered with flowers Bion, a good that does not belong to the possessor, because it is impossible to give ourselves beauty or to preserve it Madame du Barry expressed the philosophy of Carneades in more laconic language when she said, '*La véritable royauté, c'est la beauté*'—the genuine royalty is beauty And she might have said with equal truth that it is genuine aristocracy for it has as much influence in one form of government as in any other and produces aristocracy in the deepest democracy that ever was known or imagined, as infallibly as in any other form of government What shall we say to all these philosophers, male and female? Is not beauty a privilege granted by nature, according to Plato and to truth often more influential in society and even upon laws and government, than stars, garters, crosses eagles, golden fleeces or any hereditary titles or other distinctions? The grave elders were not proof against the charms of Susanna The Grecian sages wondered not at the Trojan war when they saw Helen Holofernes guards, when they saw Judith said, 'One such woman let go would deceive the whole earth"

Can you believe, Mr Taylor that the brother of such a sister the father of such a daughter, the husband of such a wife or even the gallant of such a mistress would have but one vote in your moral republic? Ingenious—but not historical, philosophical or political—learned, classical, poetical Barlow! I pr... 452–454
life and thy death Had truth, instead of non...

been thy object, your pamphlet on privileged orders would have been a very different thing!

That all men are born to equal rights is true Every being has a right to his own, as clear, as moral, as sacred as any other being has This is as indubitable as a moral government in the universe But to teach that all men are born with equal powers and faculties, to equal influence in society, to equal property and advantages through life, is as gross a fraud, as glaring an imposition on the credulity of the people as ever was practised by monks, by Druids[e] by Brahmins, by priests of the immortal Lama or by the self-styled philosophers of the French revolution For honors sake, Mr Taylor for truth and virtue's sake, let American philosophers and politicians despise it

Mr Adams leaves to Homer and Virgil to Tacitus and Quintilian, to Mahomet and Calvin to Edwards and Priestley, or, if you will to Milton's angels reasoning high in pandemonium all their acute speculations about fate, destiny, foreknowledge absolute necessity, and predestination He thinks it problematical whether there is, or ever will be, more than one Being capable of understanding this vast subject. In his principles of legislation he has nothing to do with these interminable controversies He considers men as free moral, and accountable agents and he takes men as God has made them And will Mr Taylor deny that God has made some men deaf and some blind, or will he affirm that these will infallibly have as much influence in society and be able to procure as many votes as any who can see and hear?

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4[g]

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Let me see We have now twenty-four to these we may

ary of the action at Lexington.

add six more, who will have more art, cunning, and intrigue than learning, eloquence, or fortune. These will infallibly soon unite with the twenty four Thus we make thirty. The remaining seventy are composed of farmers, shopkeepers, merchants, trades men, and laborers Now, if each of these thirty can, by any means, influence one vote besides his own, the whole thirty can carry sixty votes—a decided and uncontrolled majority of the hundred These thirty I mean by aristocrats, and they will in stantly convert your democracy of ONE HUNDRED into an aris tocracy of THIRTY

Take at random, or select with your utmost prudence, one hundred of your most faithful and capable domestics from your own numerous plantations and make them a democratical republic. You will immediately perceive the same inequalities and the same democratical republic, in a very few of the first sessions, transformed into an aristocratical republic, as complete and per fect an aristocracy as the senate of Rome, and much more so Some will be beloved and followed, others hated and avoided by their fellows

It would be easy to quote Greek and Latin to produce a hundred authorities to show the original signification of the word *aristocracy* and its infinite variations and application in the history of ages. But this would be all waste water Once for all I give you notice that whenever I use the word *aristocrat* I mean a citizen who can command or govern two votes or more in society, whether by his virtues, his talents, his learning, his loquacity, his taciturnity, his frankness, his reserve, his face, figure, eloquence, grace, air, attitude movements, wealth, birth art, address, in trigue, good fellowship drunkenness, debauchery, fraud perjury, violence, treachery, pyrrhonism, deism, or atheism, for by every one of these instruments have votes been obtained and will be obtained You seem to think aristocracy consists altogether in artificial titles, tinsel decorations of stars, garters, ribbons, golden eagles and golden fleeces, crosses and roses and lilies, exclusive privileges, hereditary descents, established by kings or by positive laws of society No such thing! Aristocracy was from the begin- ning, now is, and ever will be, world without end, independent

of all these artificial regulations as really and as efficaciously as with them!

Let me say a word more Your democratical republic picked in the streets and your democratical African republic or your domestic republic, call it which you will, in its first session will become an aristocratical republic In the second session it will become an oligarchical republic, because the seventy-four democrats and the twenty-six aristocrats will by this time discover that thirteen of the aristocrats can command four votes each these thirteen will now command the majority and consequently, will be sovereign The thirteen will then be an oligarchy In the third session it will be found that among these thirteen oligarchs there are seven each of whom can command eight votes equal in all to fifty-six, a decided majority In the fourth session it will be found that there are among these seven oligarchs four who can command thirteen votes apiece The republic then becomes an oligarchy whose sovereignty is in four individuals In the fifth session, it will be discovered that two of the four can command twenty-six votes each Then two will have the command of the sovereign oligarchy In the sixth session there will be a sharp contention between the two which shall have the command of the fifty two votes Here will commence the squabble of Danton and Robespierre, of Julius and Pompey of Anthony and Augustus, of the white rose and the red rose,[a] of Jefferson and Adams of Burr and Jefferson of Clinton and Madison or if you will of Napoleon and Alexander

This, my dear sir is the history of mankind past, present and to come.

5*

When superior genius gives greater influence in society than is possessed by inferior genius, or a mediocrity of genius that is, than by the ordinary level of men this superior influence I call natural aristocracy This cause, you say is "fluctuating" What then? It is aristocracy still while it exists And is not democracy

*[VI 493–496]

"fluctuating" too? Are the waves of the sea, or the winds of the air, or the gossamer that idles in the wanton summer air more fluctuating than democracy? While I admit the existence of democracy, notwithstanding its instability, you must acknowledge the existence of natural aristocracy, notwithstanding its fluctuations

I find it difficult to understand you when you say that "knowledge and ignorance are fluctuating" Knowledge is unchangeable; and ignorance cannot change, because it is nothing It is a non entity Truth is one, uniform and eternal, knowledge of it cannot fluctuate any more than itself Ignorance of truth, being a non entity, cannot surely become entity and fluctuate and change like Proteus, or wind, or water You sport away so merrily upon this topic that I will have the pleasure of transcribing you You say "The aristocracy of superior abilities will be regulated by the extent of the space between knowledge and ignorance; as the space contracts or widens, it will be diminished or increased, and if aristocracy may be thus diminished, it follows that it may be thus destroyed"

What is the amount of this argument? Ignorance may be destroyed and knowledge increased *ad infinitum* And do you expect that all men are to become omniscient, like the almighty and omniscient Hindu, perfect Brahmins? Are your hopes founded upon an expectation that knowledge will one day be equally divided? Will women have as much knowledge as men? Will children have as much as their parents? If the time will never come when all men will have equal knowledge, it *seems* to follow that some will know more than others and that those who know *most* will have *more* influence than those who know least, or than those who know half way between the two extremes, and consequently will be aristocrats "Superior abilities" comprehend abilities acquired by education and study as well as genius and natural parts, and what a source of inequality and aristocracy is here! Suffer me to dilate a little in this place Massachusetts has probably educated as many sons to letters, in proportion to her numbers, as any State in the Union, perhaps as any nation, ancient or modern What proportion do the scholars bear to the

whole number of people? I wish I had a catalogue of our Harvard University that I might state exact numbers Say that, in almost two hundred years, there have been three or four thousand educated, from perhaps two or three millions of people Are not these aristocrats or, in other words, have they not had more influence than any equal number of uneducated men? In fact, these men governed the province from its first settlement, these men have governed and still govern the state These men, in schools, academies, colleges and universities, these men, in the shape of ministers, lawyers, and physicians these men, in academies of arts and sciences, in agricultural societies, in historical societies, in medical societies and in antiquarian societies, in banking institutions and in Washington benevolent societies govern the state, at this twenty-sixth of December, 1814 The more you educate, without a balance in the government, the more aristocratical will the people and the government be There never can be, in any nation, more than one fifth—no, not one tenth—of the men regularly educated to science and letters I hope, then, you will acknowledge that "abilities" form a *distinction* and confer a privilege, in fact, though they give no peculiar rights in society

2 You appear, sir, to have overlooked or forgotten one great source of natural aristocracy, mentioned by me in my Apology and dilated on in subsequent pages—I mean *birth* I should be obliged to you for your candid sentiments upon this important subject Exceptions have been taken to the phrase *well born*, but I can see no more impropriety in it than in the epithets well bred, well ...

well armed, *well meant*, *well mounted*, *well fortified*, *well tempered*, well *fatted*, *well spoken*, *well argued*, *well reasoned*, well decked, *well ducked*, *well trimmed*, *well wrought*, or any other *well* in common parlance.

And here, sir, permit me, by way of digression, to remark another discouragement to honest political literature and the progress of real political science If a *well-meant* publication

fluctuating too? Are the waves of the sea, or the winds of the air, or the gossamer that idles in the wanton summer air more fluctuating than democracy? While I admit the existence of democracy, notwithstanding its instability, you must acknowledge the existence of natural aristocracy, notwithstanding its fluctuations.

I find it difficult to understand you when you say that "knowledge and ignorance are fluctuating. Knowledge is unchangeable and ignorance cannot change, because it is nothing It is a non entity Truth is one uniform and eternal knowledge of it cannot fluctuate any more than itself Ignorance of truth, being a non entity, cannot surely become entity and fluctuate and change like Proteus, or wind or water You sport away so merrily upon this topic that I will have the pleasure of transcribing you You say, "The aristocracy of superior abilities will be regulated by the extent of the space between knowledge and ignorance as the space contracts or widens, it will be diminished or increased and if aristocracy may be thus diminished it follows that it may be thus destroyed"

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And here, sir, permit me, by way of digression, to remark another discouragement to honest political literature and the progress of real political science. If a *well-meant* publication

"fluctuating" too? Are the waves of the sea, or the winds of the air, or the gossamer that idles in the wanton summer air more fluctuating than democracy? While I admit the existence of democracy, notwithstanding its instability, you must acknowledge the existence of natural aristocracy, notwithstanding its fluctuations.

I find it difficult to understand you when you say that "know edge and ignorance are fluctuating." Knowledge is unchangeab and ignorance cannot change, because it is nothing. It is a nc entity. Truth is one, uniform and eternal, knowledge of it canr fluctuate any more than itself. Ignorance of truth, being a nc entity, cannot surely become entity and fluctuate and change li Proteus, or wind, or water. You sport away so merrily upon th topic that I will have the pleasure of transcribing you. You "The aristocracy of superior abilities will be regulated by t extent of the space between knowledge and ignorance; as t space contracts or widens, it will be diminished or increased; a if aristocracy may be thus diminished, it follows that it may thus destroyed."

What is the amount of this argument? Ignorance may destroyed and knowledge increased *ad infinitum*. And do y expect that all men are to become omniscient, like the almigh and omniscient Hindu, perfect Brahmins? Are your hopes found upon an expectation that knowledge will one day be equal divided? Will women have as much knowledge as men? W children have as much as their parents? If the time will nev come when all men will have equal knowledge, *it seems* to follo that some will know more than others; and that those who kno most will have more influence than those who know least, than those who know half way between the two extremes, an consequently will be aristocrats. "Superior abilities" comprehen abilities acquired by education and study as well as genius an natural parts; and what a source of inequality and aristocracy i here! Suffer me to dilate a little in this place. Massachusetts ha probably educated as many sons to letters, in proportion to he numbers, as any State in the Union, perhaps as any nation ancient or modern. What proportion do the scholars bear to the

is that the multiplication of the population so far transcends the multiplication of the means of subsistence that the constant labor of nine tenths of our species will forever be necessary to prevent all of them from starving with hunger, cold, and pestilence. Make all men Newtons or, if you will, Jeffersons, or Taylors, or Randolphs, and they would all perish in a heap! . . .

7[10]

A few words more concerning the characters of literary men What sort of men have had the conduct of the presses in the United States for the last thirty years? In Germany, in England, in France, in Holland, the presses, even the newspapers, have been under the direction of learned men How has it been in America? How many presses, how many newspapers have been directed by vagabonds, fugitives from a bailiff, a pillory, or a halter in Europe?

You know it is one of the sublimest and profoundest discoveries of the eighteenth century that knowledge is corruption, that arts, sciences, and taste have deformed the beauty and destroyed the felicity of human nature, which appears only in perfection in the savage state—the children of nature One writer gravely tells us that the first man who fenced a tobacco yard and said "this is mine," ought instantly to have been put to death, another as solemnly says, the first man who pronounced the word "dieu" ought to have been dispatched on the spot, yet these are advocates of toleration and enemies of the Inquisition [11]

I never had enough of the ethereal spirit to rise to these heights My humble opinion is that knowledge, upon the whole, promotes virtue and happiness. I therefore hope that you and all other gentlemen of property, education, and reputation will exert your utmost influence in establishing schools, colleges, academies, and universities, and employ every means and opportunity to spread information, even to the lowest dregs of the people, if any such there are, even among your own domestics and John Randolph's serfs.[f] I fear not the propagation and dissemination of

[10] [VI 518–521.]

nd Diderot passim.

appears, it is instantly searched for an unpopular word or one that can be made so by misconstruction, *misrepresentation*, or by any credible and imposing deception Some ambitious, popular demagogue gives the alarm—"heresy?" Holy, democratical church has decreed that word to be "heresy!" Down with him! And if there was no check to their passions and no balance to their government, they would say, *à la lanterne! a la guillotine! roast him! bake him! boil him! fry him!* The Inquisition in Spain would not celebrate more joyfully an *auto-da fé*.*

Some years ago, more than forty, a writer unfortunately made use of the term *better sort* Instantly, a popular clamor was raised and an odium excited, which remains to this day to such a degree that no man dares to employ that expression at the bar, in conversation, in a newspaper, or pamphlet, no, nor in the pulpit, though the "baser sort" are sufficiently marked and distinguished in the New Testament to prove that there is no wrong in believing a "better sort" *And if there is any difference between* virtue and vice, there is a "better sort" and a worse sort in every human society

With sincere reverence let me here quote one of the most profound philosophical, moral, and religious sentiments that ever was expressed "*We know not what spirit we are of*"

6*

That the first want of man is his dinner, and the second his girl, were truths well known to every democrat and aristocrat long before the great philosopher Malthus arose to think he enlightened the world by the discovery

It has been equally well known that the second want is frequently so impetuous as to make men and women forget the first and rush into rash marriages, leaving both the first and second wants, their own as well as those of their children and grand children, to the chapter of accidents The most religious very often leave the consideration of these wants to Him who supplies the young ravens when they cry

The natural, necessary, and unavoidable consequence of all this

*[VI 516]

is that the multiplication of the population so far transcends the multiplication of the means of subsistence that the constant labor of nine tenths of our species will forever be necessary to prevent all of them from starving with hunger cold and pestilence. Make all men Newtons or if you will Jeffersons or Taylors, or Randolphs, and they would all perish in a heap! . .

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[10] [VI 518-521]
[11] ... and Diderot persons

knowledge. The conditions of humanity will be improved and ameliorated by its expansion and diffusion in every direction May every human being—man, woman, and child—be as well informed as possible! But, after all, did you ever see a rose without a briar, a convenience without an inconvenience, a good without an evil, in this mingled world? Knowledge is applied to bad purposes as well as to good ones Knaves and hypocrites can acquire it, as well as honest, candid and sincere men It is employed as an engine and a vehicle to propagate error and falsehood, treason and vice, as well as truth, honor virtue, and patriotism It composes and pronounces, both panegyrics and philippics, with exquisite art, to confound all distinctions in society between right and wrong And if I admit, as I do, that truth generally prevails and virtue is or will be triumphant in the end, you must allow that honesty has a hard struggle and must prevail by many a well fought and fortunate battle and after all, must often look to another world for justice, if not for pardon

There is no necessary connection between knowledge and virtue Simple intelligence has no association with morality. What connection is there between the mechanism of a clock or watch and the feeling of moral good and evil, right or wrong? A faculty or a quality of distinguishing between moral good and evil, as well as physical happiness and misery, that is pleasure and pain or, in other words a *conscience*—an old word almost out of fashion—is essential to morality

Now, how far does simple, theoretical knowledge quicken or sharpen conscience? La Harpe, in some part of his great work his *Course of Literature*, has given us an account of a tribe of learned men and elegant writers who kept a kind of office in Paris for selling at all prices, down to three livres, essays or paragraphs upon any subject, good or evil, for or against any party, any cause, or any person One of the most conspicuous and popular booksellers in England, both with the courtiers and the citizens, who employed many printers and supported many writers, has said to me, "The men of learning in this country are stark mad There are in this city a hundred men, gentlemen of liberal education, men of science, classical scholars, fine writers,

whom I can hire at any time at a guinea a day to write for me for or against any man any party or any cause" Can we wonder, then at anything we read in British journals, magazines, news papers or reviews?

Where are and where have been the greatest masses of science of literature, or of taste? Shall we look for them in the church or the state in the universities or the academies among Greek or Roman philosophers, Hindus, Brahmins Chinese mandarins Chaldean magi British druids Indian prophets, or Christian monks? Has it not been the invariable maxim of them all to deceive the people by any lies, however gross? "Bonus populus vult decipi ergo decipiatur"

And after all that can be done to disseminate knowledge you never can equalize it. The number of laborers must and will forever be so much more multitudinous than that of the students that there will always be giants as well as pygmies the former of which will have more influence than the latter man for man and head for head and therefore, the former will be aristocrats and the latter democrats, if not Jacobins or *sans culottes*

These morsels and a million others analogous to them which will easily occur to you if you will be pleased to give them a careful mastication and rumination must, I think convince you that no practicable or possible advancement of learning can ever equalize knowledge among men to such a degree that some will not have more influence in society than others and consequently that some will always be aristocrats and others democrats You may read the history of all the universities academies monasteries of the world and see whether learning extinguishes human passions or corrects human vices You will find in them as many parties and factions, as much jealousy and envy hatred and malice, revenge and intrigue, as you will in any legislative assembly or executive council the most ignorant city or village Are not the men of letters—philosophers divines physicians lawyers, orators, and poets—all over the world at perpetual strife with one another? Knowledge therefore as well as genius, strength activity industry beauty and twenty other things will forever be a natural ... se of aristocracy

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(a) Federalist Party A political party which was organized in 1787 for the purpose of furthering the adoption of the Constitution of the U S Conservative in its philosophy, it stood for a strong federal government Hamilton who is believed to be its founder was its leader until his death in 1804

(b) Republican Party A political party, also known as the Democratic Republican Party which was founded by Thomas Jefferson in opposition to the Federalist Party, for the defense of the states rights. Its major support came from the farmers, small business men, and small townspeople in general.

(c) Jacobin A name given pro-French democratic clubs organized in the United States in 1793 The name was derived from the famous political clubs of the French Revolution

(d) Quid In United States politics a Democratic Republican who supported John Randolph in opposition to the Jefferson administration

(e) The American Tories were the political party that remained loyal to the Crown and opposed the independence of the Colonies, whereas the Whigs desired greater independence from England Although the names were borrowed from the two major political parties of England the political division which they signified in America differed from that in England The Tory party in England was the successor to the Court party and upheld the prerogative of the Crown over Parliament while the Whigs defended the sovereignty of Parliament. The English Tories were mostly titled landowners and as to their religious affiliation Episcopalians The Whigs drew their strength from the urban elements especially the merchants and from the small landowners They were Puritans, either Presbyterians or Independents

(f) The Magna Charta was signed by John I on June 15 1215 Although it guaranteed freedom and a voice in the affairs of state solely to the barons of the realm, it is generally consid

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ered the basic document in the progress of the British people toward political liberty The terms of the Magna Charta were often violated by subsequent rulers, and the time from 1215 to 1688 is marked by an almost uninterrupted struggle of the people not only to enforce the basic principles of the Magna Charta but also to broaden their application by extending the guarantees to the commons and by assigning the major voice in the affairs of state to Parliament The Revolution of 1688 decided this contest in favor of Parliament

(g) BILL OF RIGHTS Act of Parliament passed in 1689, to protect individual liberties This Bill of Rights became the model for the Bill of Rights adopted by Virginia and later for the first ten Amendments of the Constitution of the United States

(h) STAMP ACT An act of the British Parliament (1765) imposing a tax on all papers used in the colonies and declaring invalid all transactions not properly stamped Repealed in 1766 as the result of the colonial opposition in the Stamp Act Congress This act had aroused the American colonists more than any other act of oppression by Britain as it was the first major British attempt to impose taxes in the colonies without the consent of the people

(i) CONTINENTAL CONGRESS Governing body of the united colonies during the Revolution and of the states until 1789

(j) SOCIAL COMPACT The political theory that legitimate government originates in a contract (compact) between people Used in the seventeenth and eighteenth centuries as an argument to throw off oppressive governments Best known expositions of these theories are found in Locke s *Second Treatise of Government* and Rousseau s *Social Contract*

(k) BOSTON MASSACRE (March 5 1770) Incident in which a small squad of British soldiers upon provocation fired upon a group of rioters killing three and wounding eight

A DISSERTATION ON THE CANON AND FEUDAL LAW

(a) SOLIDARITAS CLUB Informal Boston Club of which John Adams was a member

(b) PURITANS Religious dissenters who wished to reform the Church of England and being unable to do so formed their

own churches the Presbyterian and the Congregational Churches A number of Puritans left England after 1627 and established the Massachusetts Bay Colony which became first a theocracy under the domination of the Congregational Church

(c) DIOCESAN EPISCOPACY Church organization used by the Church of England in which the d ocese is an administrative un t of organization headed by a bishop

(d) PRESBYTERIAN ORDINATION Arrangement under which appl cants are admitted into the Christian ministry by the authority of a Presbytery itself a church governing body organized on a district basis made up of ministers and church elders The terms Episcopalian Presbyterian and Congregational refer to church organizational arrangements in which the Episcopalian is the most highly centralized employing bishops and dioceses the Presbyterian less highly organized and the Congregational largely decentralized with each separate church a practically self-governing unit. (Cf preceding notes on *Puritans* and *D ocesan Episcopacy*

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NOVANGLUS AND MASSACHUSETTENSIS

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(b) BATTLE OF LEXINGTON April 19 1775 opening skirmish in the American War of Independence

(c) WHIGS See page 211 note (e)

(d) GRENVILLIAN ADMINISTRATION George Grenville s ministry in Great Britain which lasted from 1763 to 1765

(e) HANOVER The House of Hanover king George I and descendants

(f) HORACE He annoys he soothes he fills with useless fears like a sorcerer"

(g) SENATUS CONSULTA Decrees of the Senate (ancient Rome) from 100 to 300 A D *Senatus consulta* were *leges* (laws) enacted without consultation of the tribunes

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Derived from Ulpian (170?–228 A. D), it was included in the Corpus Juris Civilis (Dig 1 4 1) and became during the Middle Ages, the major basis for the claims of princes to absolute authority

(i) DELENDA EST CARTHAGO "Carthage must be destroyed" Phrase used by Cato the Elder

(j) MASSACHUSETTS BAY COMPANY A royal chartered company authorized to colonize and trade in New England The company settled in Massachusetts in 1629, thereby establishing that colony (Cf preceding note on the *Puritans* p 213)

(k) CASUS OMISSUS A case omitted or not provided for, as by a statute (and therefore governed by the common law)

(l) NE EXEAT REGNO "Let him not go out of the Kingdom" In England a high prerogative writ used in matters of state to restrain a person from leaving the country, later, a writ issued out of chancery or equity to restrain a person from leaving the jurisdiction of the court pending an action

(m) HIC LABOR HOC OPUS EST "This is labor, this work" (This is the task this is the thing to be done)

(n) PROCUL A JOVE A FULMINE PROCUL "Far away from Jove, far away from this thunderbolt

THOUGHTS ON GOVERNMENT

(a) VIRGINIA PLAN Strong central government plan submitted by the Virginia delegates in the Federal Constitutional Convention of 1787

(b) LONG PARLIAMENT English Parliament which sat without renewal from 1640 to 1660

(c) THE PRINCIPLE OF ROTATION of officers Adams in all likelihood borrowed from James Harrington's *The Commonwealth of Oceana* first published in England in 1656 Though Harrington first formulated the idea in modern times he undoubtedly was influenced in this respect by his thorough knowledge of the political affairs of the ancient Greeks and Romans

CONSTITUTION OF MASSACHUSETTS

(a) GENERAL COURT OF MASSACHUSETTS Massachusetts legislature

(b) PROVINCIAL CONGRESS Congress of the colony

(c) VIRGINIA BILL OF RIGHTS Declaration of rights of the State of Virginia established as part of [illegible]
the Am[illegible]
[illegible] ...arvard
C[illegible] University, Cambridge, Massachusetts

DEFENCE OF THE CONSTITUTIONS OF GOVERNMENT OF THE UNITED STATES OF AMERICA

(a) FEDERAL CONSTITUTIONAL CONVENTION Convention called by the States in 1787 which drew up the Constitution of the United States.

(b) SHAYS'S REBELLION Popular uprising in western and central Massachusetts in 1786 as a result of economic discontent The "rebellion" was short lived and indirectly influenced the calling of the Federal Constitutional Convention in 1787.

(c) CENTRALIZING SCHEMES OF DR. FRANKLIN AND TOM PAINE Plans for a strong central government

(d) CICERO "This indeed hold fast which I said initially unless there be this even counterweighting in the state between law and the public office and public duty and that there be a sufficiency of authority in the wise counsel of the leaders and a sufficient degree of freedom for the people, this constitution of the state cannot be preserved unchanged."

DISCOURSES ON DAVILA

(a) SPECTEMUR AGENDO "Let us be watched in the doing"

(b) CARMELITES One of the Roman Catholic monastic orders which came to Louisiana in the early days of French settlement

(c) ROYAL SOCIETY OF LONDON A society incorporated in England in 1662 to give governmental support to scientific investigation.

(d) COMMITTEE OF CORRESPONDENCE Extra-constitutional committees organized by the American colonists to carry on propaganda against Great Britain and to co-ordinate efforts of the patriots

LETTERS TO JOHN TAYLOR

(a) SUPREMA LEX 'Supreme law', SUMMA POTESTATIS "Highest power, supreme power"

(b) EPISCOPALIAN Name of Anglican Church in America

(c) DRUIDS Members of an ancient pagan religious order in Britain, France and Ireland

(d) WHITE ROSE AND RED ROSE The symbol of the House of York and the House of Lancaster respectively in England These two houses contended intermittently for the throne in England in the fifteenth century

(e) AUTO-DA FE The medieval burning of a heretic, act of faith

BIOGRAPHICAL INDEX

Adams, Samuel (1722–1803) Cousin of John Adams; revolutionary leader and political writer

Addison, Joseph (1672–1719) English essayist and poet.

Andros, Sir Edmund (1637–1714) Soldier and colonial governor who served in Massachusetts Bay from 1686 until his return to England because of the Revolution of 1688

Athanasius, Saint (293?–373) Greek father of the Church. Strong opponent of Arianism

Barlow, Joel (1754–1812) Liberal American poet and statesman.

Beccaria, Cesare (1735–1794) Philosophical writer best known for his *Treatise on Crimes and Punishments*. His opposition [redacted] capital punishment led to establishment of more just principles of penal law

Beccaria, Giovanni (1716–1781) Italian philosopher

Belknap, Jeremy (1744–1798) New England Congregational clergyman and writer; defender of the American Revolution

Bernard, Sir Francis (1712–1779) Colonial governor both in New Jersey and Massachusetts

Blackstone, William (1723–1780) Famous English jurist. His *Commentaries on the Laws of England* (1765–1769) exerted a strong influence on British and American jurisprudence

Bolingbroke (1678–1751) English statesman and writer. Author of *Dissertation on Parties* and *Letters on the Study of History*

Boylston, Zabdiel (1679–1766) He was an American physician, the first to introduce the practice of inoculation against smallpox into America

Brookes, Henry (1703–1783) Irish author. He wrote a philosophical poem in six books entitled "Universal Beauty"

Buffon, George Louis (1707–1788) French naturalist and member of the French Academy

Burke, Edmund (1729–1797) British Statesman and political writer. He eloquently espoused the cause of the American colonies for more self-government. Author also of *On The Sublime and Beautiful* and *Reflection on the French Revolution* (1790). Best remembered for his speeches "American Taxation" (1744) and "Conciliation with America" (1775)

Burnet, William (1688–1729) Able colonial governor of New York and New Jersey from 1720-1727 and of Massachusetts in 1728

FAWKES, GUY (1570–1606) Was involved in the attempt to blow up the House of Lords in 1605, and condemned to death in 1606

FILMER SIR ROBERT (d. 1653) English political writer who defended the theory of divine rights of kings.

FRANKLIN DR BENJAMIN (1706–1790) American printer author statesman, diplomat, scientist and revolutionary leader He stands today as the symbol of the far-sighted businessman sincere and able patriot, and above all as a practical man of affairs. America has produced few statesmen and almost no diplomats to rival him

GIBBON, EDWARD (1737–1794) An English historian best known for his major work, *The History of the Decline and Fall of the Roman Empire* (1776–1788)

GODFREY SIR EDMUND BERRY (1621–1678) English magistrate and politician. He was murdered in 1678

GRIDLEY JEREMIAH (1702–1767) Boston lawyer and friend of John Adams.

GUICCIARDINI FRANCESCO (1483–1540) Italian historian and statesman

HAMILTON ALEXANDER (1757–1804) Revolutionary soldier statesman and first Secretary of the Treasury under George Washington Hamilton was the founder and guiding genius of the Federalist Party He met an untimely death in a duel with Aaron [illegible] 1804 He wrote with James Madison and John Jay *The Federalist.*

LA HARPE JEAN FRANCOIS (1739–1803) French author and dramatist

HARRINGTON, JAMES (1611–1677) English political philosopher He wrote *The Commonwealth of Oceana* (1656), an exposition of the ideal constitution He is best known for his theory that economic power determines political power

HELVETIUS, CLAUDE (1715–1771) French philosopher and littérateur

HOADLY BENJAMIN (1676–1761) English bishop. He advocated civil and religious liberty

HOBBES, THOMAS (1588–1679) English philosopher Best known for his work, *Leviathan, the Matter, Form, and Authority of Government.*

HOLLIS, THOMAS Correspondent and friend of John Adams.

HUME DAVID (1711–1776) British philosopher historian and political economist. Best known for his *Treatise of Human Nature* and his *Essays Moral Political, and Literary*

HUTCHESON FRANCIS (1694–1746) English philosopher Author of *System of Moral Philosophy* (1755)

HUTCHINSON GOVERNOR (1711–1780) Royal governor of Massachusetts Bay Colony from 1771 to 1774

JAY, JOHN (1745–1829) Native of New York statesman and diplomat. From 1784 to 1790 he was Secretary of Foreign

Affairs for the United States under the Articles of Confederation and then became first Chief Justice. Co-author with Alexander Hamilton and James Madison of *The Federalist*.

Jefferson, Thomas (1743–1826) Statesman, diplomat, author, apostle of freedom and enlightenment. He wished to be remembered as the author of the Declaration of Independence, of the Virginia Statute for Religious Freedom and founder of the University of Virginia. He was Secretary of State under George Washington, Vice-President of the United States under John Adams, and President of the United States from 1801 to 1809.

Jenings, Edmund Friend and correspondent of John Adams.

Johnson, Dr Samuel (1709–1784) Famous English writer and author of a dictionary. He was probably the leading literary figure in the eighteenth century in England.

Junius The pseudonym of a writer who contributed a series of letters to the *London Public Advertiser* from January 21, 1769 to January 2 1772. The "Letters of Junius" were written to discredit the ministry of the Duke of Grafton.

Kames, Lord (1696–1782) Scottish lawyer, judge, and philosopher.

King, William (1650–1729) British divine, archbishop of Dublin. King was a supporter of the Revolution of 1688.

Leonard, Daniel (1740–1829) Able Massachusetts lawyer and staunch loyalist. Leonard is well known for his defense of the Tory view under the pen name "Massachusettensis." This view John Adams opposed under the name of 'Novanglus.'

Locke, John (1632–1704) English philosopher. His major political work, the *Two Treatises of Government* (1689) strongly influenced both English and American political thought.

Abbe de Mably (1709–1785) French author, moral and political philosopher.

Machiavelli, Niccolo (1469–1527) Italian statesman and writer. His best known work is *The Prince*.

Madison, James (1750–1836) Statesman, writer, member of Congress and fourth President of the United States. He was one of the most influential members of the Constitutional Convention of 1787, which drew up the Constitution of the United States. He later served in Congress as a leader of the party of Jefferson, was Secretary of State under Jefferson and succeeded Jefferson to the Presidency. Co-author with Alexander Hamilton and John Jay of *The Federalist*.

Marshall, John (1755–1835) Born in Virginia. Revolutionary soldier, a leader of the Federalist party in Virginia, and judicial statesman. He was appointed Chief Justice of the United States by President

John Adams, and served from 1801 to 1835 In this capacity he established his reputation as being one of America's greatest constitutional statesmen The decision of the Supreme Court under his leadership had a major influence in formulating a legal interpretation of the Constitution designed to strengthen the union of the states.

MARMONTEL, JEAN F (1723–1799) French author, dramatist and contributor to the *Encyclopédie*

MONTESQUIEU, CHARLES DE SECONDAT French philosophical historian Best known for his exposition, in his *The Spirit of the Laws*, of the doctrine of separation of powers.

MONTGOMERY, RICHARD (1738–1775) American soldier and brigadier-general in the Continental Army

MUMMIUS LUCIUS (second century B C) Roman statesman and general

NEDHAM, MARCHAMONT Seventeenth-century English political writer, whose *Excellency of a Free State* provides the basis for the third part of John Adams' *Defence*

NILES, HEZEKIAH (1777 1839) Editor, native of Pennsylvania From 1811 to 1836, he edited and published *Niles Weekly Register* which consistently advocated strong union, internal improvements, and protection to industry

OTIS, JAMES (1725–1783) Massachusetts lawyer, politician and publicist. He is probably best known for his opposition to the "Writs of Assistance," which allowed customs collectors wide discretion to search for and seize contraband goods. Otis insisted that the writs were void and that the courts should hold the act of Parliament establishing them as unconstitutional and hence illegal

PAINE, THOMAS (1737–1809). A native of England, American revolutionary political pamphleteer, agitator and author. Paine's political tract, *Common Sense*, which advocated in ringing terms separation of the colonies from England, was widely read and influential. His other well known political work is *Rights of Man* (Part I, 1791; Part II, 1792)

PARKER, THEODORE (1810–1860) Theologian, Unitarian clergyman, publicist of Massachusetts.

PENN, JOHN (1740–1788) Signer of the Declaration of Independence and member of the Continental Congress representing North Carolina

PENN, WILLIAM (1644–1718) Founder and Proprietor of Pennsylvania colony A member of the Society of Friends, he preached and practiced religious toleration and granted the colony a liberal constitution

KING PHILIP (died 1676) Sachem of the Wampanoag Indians and leader of the most severe Indian war in New England history, 1675–1676, which was called King Philip's War

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Sidney, Algernon (1622–1683) English politician and political philosopher

Sherman, Roger (1721–1793) American political leader, signer of the Declaration of Independence, and active member of the Federal Constitutional Convention of 1787

Smith Adam (1723–1790). British economist and moral philosopher Best known for his work entitled Inquiry into the *Nature and Causes of the Wealth of Nations.*

Spencer, Herbert (1820–1903) English moral and political philosopher

Swift, Jonathan (1677–1745) Dean of St. Patrick's, Dublin British satirist author, and moral philosopher

Taylor John (1753–1824) Best known as John Taylor of Caroline (Virginia) Political writer and agriculturist United States senator three different times

Tillotson, Dr. John (1630–1694) English archbishop and writer on theology

Tocqueville de Alexis (1805–1859) French author and political philosopher His *Democracy in America* is still considered an outstanding work on American politics and society

Turgot Anne Robert Jacques (1727–1781) French statesman economist, and political writer known principally for his efforts to further free trade.

Trumbull, Benjamin (1735–1820) Congregational clergyman historian He wrote a history of Connecticut.

Trumbull, John (1750–1831) Poet and jurist. Friend of John Adams.

Vane, Sir Henry (1613–1662) English statesman and author defender of popular government executed in 1662 for high treason against the king

Voltaire (1694–1778) Famous French author, dramatist, poet and moral philosopher

Wallace William (about 1270–1305) Popular national hero and military leader of Scotland He was executed in London as a traitor to the English king

Warren, James (1726–1808) Massachusetts political leader and a close friend of John and Samuel Adams.

Warren, Joseph (1741–1775) Physician revolutionary patriot. A close friend of John Adams.

West Benjamin (1738–1820) English historical and portrait painter

Winthrop, John (1588–1649) Puritan leader and first governor of Massachusetts Bay Colony This colony's early success was due to his wisdom and skill

Wythe, George (1726–1806) Signer of the Declaration of Independence statesman professor of law and chancellor of the University of Virginia He established the first chair of law in an American college.

Young Edward (1683–1765) English poet and author